













**D E M O C R A C Y  
I N C R I S I S**

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*To*

THE FACULTY OF YALE UNIVERSITY LAW SCHOOL  
IN GRATITUDE FOR GRACIOUS AND  
STIMULATING HOSPITALITY—  
FEBRUARY-JUNE, 1931



## P R E F A C E

This book is an expanded version of the Weil lectures which I delivered in April 1931 to the University of North Carolina. Publication was a condition of their delivery, and I have to thank my friend, President Graham, for the permission to delay their completion for a period beyond my promise.

I am aware that my argument is a pessimistic one, and that it is rooted in a sombre picture of our situation. I do not think any explanation, beyond the argument itself, is called for by its character. I shall be satisfied if I can either persuade a few readers to realise how near our feet lie to the abyss—the usual point at which Englishmen are stimulated to consider principle—or, alternatively, be shown by critics to have misunderstood the position. I have arrived at my conclusions with regret, and only after long and careful thought upon the material they summarise. I should have been happier if my conclusions had been in another direction; but the obligation to follow the compulsion of the facts is inescapable.

I owe a deep debt to my colleagues, Mr. H. L. Beales and Mr. K. B. Smellie, for constant illumination of the themes I have ventured to discuss; and I should like to register here my special obligations to Mr. and Mrs. J. L. Hammond and Professor R. H. Tawney for the insight their books have given me into the general problem of discontent in a democracy. I hasten to add that none of them has any responsibility for my dis-

cussion of the themes upon which they have brought so profound and sympathetic an understanding to bear.

The dedication is a slight acknowledgment of infinite kindness. In the months I spent at Yale University in 1931 Dean Clark and his colleagues in the Law and Graduate Schools made me realise how learning can be made an avenue to friendship.

## C O N T E N T S

CHAPTER	PAGE
Preface	9
I. The Illusion of Security	13
II. • The Decay of Representative Institutions	67 ✓
III. Authority and Discipline in Capitalist Democracy	147
IV. The Revolutionary Claim	233
V. Conclusion	264





# DEMOCRACY IN CRISIS

## CHAPTER I

### THE ILLUSION OF SECURITY

#### I

Everyone knows the famous passage in which, a generation before its advent, Chesterfield predicted the coming of the French Revolution. "All the symptoms," he wrote on December 25, 1763, "which I ever met with in history previous to great changes and revolutions in government now exist and daily increase in France." Few of those who controlled its destinies were able to see the significance of the portents he observed. They were as blind to their own fate as the men who, on the eve of the Puritan rebellion, comforted themselves with the assurance that England had never known peace and loyalty so profound.<sup>1</sup> Yet, in the one case, as in the other, all the symptoms were present which involve those final adjustments in institutional perspective which men later recognise as marking an epoch in history.

We who have observed the revolutionary experiment in Russia are perhaps not less inclined than our predecessors to minimise its significance. The difference in economic conditions is vast. Our national character, our historical traditions, have made for a very different

<sup>1</sup> Gooch, *English Democratic Ideas* (2nd edition), p. 87.

evolution. Our administrative mechanism is not in decay. Our middle class, for all the losses it has suffered, remains strong and conscious of its strength. No party preaching a revolutionary gospel has attained that degree of importance which enables it to make a serious impact upon the mind of the electorate. No important party of the left consciously admits that it is willing to depart from the traditional lines of constitutional method. The armed forces of the state have shown no signs of serious disloyalty to the civil government. Strike after strike—even, in the case of Great Britain, a general strike—has been met and broken without exceptional loss. The trade unions have been for years upon the defensive; and a rapid decline in their membership has been one of the most marked features of their recent history. If it is true that the economic depression is both dangerous and widespread—more dangerous and more widespread than any other in the record—its causes are in process of removal. The vicious system of reparations has been ended. The cancellation of inter-allied debts is increasingly recognised as inevitable. The evil post-war system of economic nationalism has not improbably already passed its zenith. The discovery of an adequate basis of international exchange proceeds more rapidly than could have been hoped before the economic blizzard of 1928. It took a generation for Europe to recover from the grim effects of the Napoleonic wars. It is not, therefore, unlikely that, after a similar period of crisis, the world will discover the foundations of a new equilibrium.

Nothing, certainly, is gained by a denial of the recuperative power inherent in any social system; there is, as Adam Smith insisted, a great deal of ruin in a nation. Yet the careful observer, who is willing to look below the surface, will not, I think, be blind to the presence amongst us of those symptoms which, in the past at least, have usually been the precursors of social convulsion. We confront wide disparities of wealth and power; and these are to-day so deeply resented that the philosophy of social equality, half-silent since the time of Matthew Arnold, has taken on a new lease of life. The disinherited show signs of those half-conscious but deeply felt protests which are the more moving to their makers because they are unsuccessful; in this aspect the British General Strike, those of Gastonia and Heeren in the United States, have a significance the more important the more carefully they are considered. The repression of discontent has become everywhere more thoroughgoing. The British Trades Disputes Act of 1927 was the first legislation hostile to the trade unions which this country has placed on the statute-book since the Combination Acts of 1799. The use of the injunction in American labour disputes, while probably less important than either its advocates or its opponents pretend,<sup>1</sup> has had the dangerous effect of making organised labour in the United States regard the Courts as simply one more instrument on the side of capital in the eternal struggle for economic power.<sup>2</sup>

<sup>1</sup> D. McCracken, *Strike Injunctions in the New South* (1932), p. 131 f.

<sup>2</sup> E. E. Cummins, *Labour Problem in the United States* (1932), p. 616 f.

The handling of Communists in both Great Britain and America, the terrible treatment to which they have been subjected above all in Poland, Hungary, and Rumania, suggest a temper of hostility to free discussion which has reached very grave proportions; for a régime which persecutes severely is always one that is conscious of a threat to its foundations. The settlement of differences by violence—no doubt a habit in part intensified by the war—seems to have become a part of our mental climate in a degree not paralleled since the tragic events of 1848. Italy and Russia are only the final terms in a process of which the end has still to come in other places.

The general temper of the world is one of profound and widespread disillusionment. Our generation seems to have lost its scheme of values. Certainty has been replaced by cynicism; hope has given room to despair. The movements of art, literature, and music seem to deny the tradition which created the great achievements of the past and to seek their inspiration in forms which are a denial of its whole meaning; or, as with T. S. Eliot in England and Willa Cather in America, they seek refuge in a philosophy whose medieval note is equally a denial of the experience inherent in the discoveries of the last hundred years. The war dealt a mortal blow at religious belief as a body of permanent sanctions for behaviour; and the churches seem to have become rather a way of performing a time-honoured ritual than a method of influencing the convictions of men. The institutions which, a generation ago, were hardly challenged—the public schools in England, the

right of American business men to shape the ethos of their civilisation—are now criticised with an angry hostility which assumes that they are permanently on the defensive. About the whole character of our desires there is a temper of feverish haste, a recklessness, a want of calm, which suggests an ignorance of the things to be sought in life. The spirit which denies has triumphed over the spirit which affirms.

Nor is this all. The foundations of our civilisation are being subjected to a criticism more thoroughgoing than at any period since Rousseau burst upon an astonished eighteenth century. None of our prophets can compete with him in stature; but most of them resemble him in their fierce rejection of the existing order and in their romantic anxiety for the principles of a new equilibrium. Mr. Wells among the older generation, Mr. Aldous Huxley among the new, Mr. Sinclair Lewis and Mr. dos Passos in post-war America, may not be certain what they want; the one thing of which they are certain is that the thing which is will not do. Whether in poetry, fiction, or philosophy, the only effective literature is that either of despair or of protest; exactly as in eighteenth-century France, it was only the literature of dissent from the established order which made a decisive impact on men's minds. Fifty years ago the statesman of eminence was an object of universal respect; now he is in danger of becoming an object of universal scepticism. We know that the Victorian dogma is in process of erosion. Philosophies compete with passion to take its place. But there is nowhere either the serenity or the self-confidence which

persuades men to choose some alternative as an object of worship.

The Western way of life is in the melting-pot. Science, whether in physics or in biology, has dissolved into metaphysics; and, on one side, if it has become, as with Eddington and Jeans, part of the half-conscious technique of reaction, it seems so void of purpose as to represent nothing so much as the omnipresent anarchy of values. It is able to offer material comfort; it seems unable to discover the formulae of spiritual satisfaction. And it is part of this scepticism of foundations that the ancient East—so long content with passive acquiescence in the ascendancy of the West—should now have issued definitive challenge to those who seek to preserve the conditions of tutelage. In the nineteenth century we could dominate India and China because we believed ourselves to be the torch-bearers of civilisation. Now, when they challenge our mission, we have no answer but the clamant and dubious insistence upon our power to force their acceptance of our exploitation. And it is not the smallest part of the Far Eastern tragedy that Japan, which might have learned to be the bridge of accommodation between the East and the West, seems to have taken nothing from its Victorian experience but the shabby lesson of economic imperialism. It has found the secret of efficiency in London and Berlin, in Paris and New York. But it seems to have no great end to which to devote its efficiency.

This search by the intelligentsia for new canons of behaviour is, once more, like nothing so much as the last period of the ancient French régime. It seems to its

opponents an invitation to confusion just as the earlier effort did to the reactionaries of Burke's school. To the demand for experiment they answer with a like insistence upon a tradition which is dead. To the insistent desire for new values they reply with the same angry emphasis that it is dangerous to go back to the foundations of the state. A century or so ago religion could offer to the multitude the comfort of consolation in the hereafter for the inadequacies of this life; in our time, scientific discovery has extinguished the lights of heaven, and it is in the conditions of immediate relevance that release must be found. A century ago—despite warnings like those of Carlyle—men saw the prospect of relief in the new industrial power; now, despite its enormous benefits, it is clear that, divorced from principle, the merely physical power to shape nature to our purposes is meaningless unless power is informed by a consciousness of ends.

Nowhere, perhaps, is the unsatisfactory character of our standards more clearly shown than in the field of industrial relationships. The victory of individualism, the triumph of the acquisitive society, has been almost entirely a Pyrrhic one. It has shown us, in marvellously ingenious fashion, the secret of the arts of production; it has given us no clue to the problem of justice in distribution. The history, indeed, of modern production might not be unfairly described as a frantic search by governments to repair the holes cut in the social dykes by the owners of economic power. They have fulfilled, in ample degree, the grave prediction made by Tocqueville a hundred years ago. "Not only are the



rich not compactly united among themselves," he wrote,<sup>1</sup> "but there is no real bond between them and the poor. Their relative position is not a permanent one; they are constantly drawn together or separated by their interests. The workman is generally dependent on the master, but not on any particular master; these two men meet in the factory, but know not each other elsewhere; and while they come into contact on one point, they stand very far apart on all others. The manufacturer asks nothing of the workman but his labour; the workman expects nothing from him but his wages. The one contracts no obligation to protect, nor the other to defend; and they are not permanently connected either by habit or by duty. . . . Between the workman and the master there are frequent relations, but no real partnership."

That is the inevitable consequence of an industrial system of which the basis is the belief that the mere conflict of private interests will produce a well-ordered commonwealth. The modern business man was so wholly devoid of any sense of obligation to the people who worked for him; he was so convinced that his own attainment of profit was of itself a justification for his habits; that he was indignant at, or bewildered by, any criticism which went to the roots of the system. He had no real sense of the state. He regarded it either as an organisation to promote the conditions under which his profits had maximum security—a purely police conception; or, where it was driven to mitigate the terms he imposed, he insisted that its paternalistic

<sup>1</sup> *Democracy in America*, Vol. II, Part II, Bk. II, Chap. 20.

interference was sapping the foundations of civic responsibility. In the United States the record of his political activities is a sorry one; he reduced its legislatures to the position of a dubious instrument of his zeal for gain. City government and state government were the spoils alternately lost and won by groups devoid of any principle save the degree of corruption they represented. In Great Britain the development of a social service state was an insurance against revolt by the disinherited; but after the war, at any rate, there was no clear division of doctrine between the older parties. They represented nothing more than the effort of business men to salvage what was possible from the rapid decay of individualism. Despite their profession of profound differences, once they were challenged seriously by the Labour Party, their union presented no real difficulty to their leaders.

The observer will find it difficult not to interpret the evolution of the last generation as showing a demonstrable loss of confidence in their own system by the business men who profited by it. They began with an ample and luxurious faith in *laissez-faire*. Cobden and Bright, Nassau Senior, Cairnes, and Fawcett all preached a gospel which warned the state, for the sake of its own well-being, to hold off its hands from the industrial area. In America, even more amply, the same doctrine was taught; and if Bismarck introduced paternalistic measures in Germany, it was less from conviction of their inherent rightness than from a suspicion that this was the best way to beat the socialists at their own game. But the results of *laissez-faire* were

too hideous even for its own protagonists to defend. It was clear, even in its heyday, that liberty of contract was without meaning in the presence of individual and unequal bargaining power. Even moderate Liberals, like T. H. Green, were driven by the spectacle of social misery to outline a theory of the positive state in which the government interfered, without seeking to disturb the foundations of the old order, at least to remove the hindrances to the good life. From the doctrine which taught that all men are the best judges of their own welfare, public necessity had moved, by the turn of the century, to a doctrine which defined an area of behaviour, of increasing extent, in which the individual choices of men were no longer paramount. The minimum wage, the regulation of hours, legislation about health, unemployment, education, maternity and child welfare, housing and public utilities, were all symptomatic of this very different temper.

Their root was less a doctrine of equality than a desire to mitigate the worse consequences of unhampered industrialism. They did not disturb the essential thesis that the ownership of economic power must remain in private hands. They were the necessary concessions of the capitalist system to the outcry against its more naked consequences. To that extent, of course, they represented a loss of the optimistic faith of early Victorianism in its power to produce contentment by individual enterprise. There was never any boundary at which, on principle, the concessions could cease. And as the state became increasingly based on a wider franchise, political parties were more and more driven

to promise these concessions in order to win the suffrages of the poor. Taxation, after the war, mounted to heights which would have been unthinkable in the Gladstonian epoch. The Chancellor of the Exchequer was like nothing so much as an unwilling Robin Hood proclaiming a doctrine of ransom to the poor while he insisted to the rich that this was a necessary insurance if the rights of property were to be capable of effective defence. And the rich, especially in the atmosphere of the Russian Revolution, were far too uneasy about their own security to deny the wisdom of what, in their hearts, they felt to be the methods of organised banditry.

That loss of self-confidence, therefore, so typical of the aristocracy in the last phase of the *ancien régime*, was accompanied by a definite rise in welfare of the oppressed classes. But because each concession, as it came, was strongly opposed, its source seemed to be not the recognition of a right justly granted, but a surrender extorted by the power of those who profited by it. Again, the analogy of 1789 is a striking one. Had the abrogation of privilege come thirty years earlier, the disparities of the older system would not have appeared as a victory won against it. As it was, each surrender only gave opportunity for new demands. What seemed generosity to Voltaire and Montesquieu seemed conservatism to Marat and Robespierre. Had President Hoover established a system of unemployment insurance in 1928, it would have seemed in the next years a wise precaution against the fluctuations of the trade cycle; to establish it in the presence of ten millions of unemployed evokes not a gesture of gratitude but of

indignation at its unstatesmanlike postponement. The inability, in a word, of capitalism to take measures against its own mistakes has the two vital effects of making all its preventive effort seem precipitate and ungenerous on the one hand, and, on the other, of stimulating its critics to realise how much more powerful was their case than they had imagined. For their opponents yield to them in a panic, the things which, as it seemed but the day before, they had declared with passion it was impossible to undertake.

And this leads, in most countries, to the accession to power of the more moderate reformers. President Wilson, in his first term of office, the Liberal Government of 1906, the Labour Governments of 1924 and 1929, represent nothing so much as the effort to discover middle terms between an old régime which is dying and a new one which is seeking to be born. They go through the old gestures; they are barely conscious of the old objectives. They enhance the concessions, they multiply the preventives against the patent vices of the old system; but, like Turgot and Necker, they do not dare deliberately to plan a new equilibrium separated in principle from the foundations of the old.

Yet even such timidity is too much for their opponents. The price of their measures is high; and it opens up vistas of further expenditure to which, at least on principle, it is difficult to set limits. If a public educational system is satisfactory, it challenges the position of those who educate their children by their own exertions. If the level of unemployment insurance represents anything like a decent standard of life, it

acts as a stimulus towards demands for higher wages among those who earn their daily bread. A policy of social reform raises no difficult questions in a period of expanding trade; concessions may then be offered without altering the way of life of those who are the masters of the engines of economic power. But a policy of expensive social reform in a period of declining trade raises grave problems for that class. It tends to drive investments abroad. It interferes with capital accumulation. It involves taxation upon a scale which makes the old standards of personal expenditure difficult to maintain. Not least, it multiplies the number of competitors for a place in the sun where the shrinkage of markets has of itself limited that area. Social reform becomes a technique of equalisation immediately a society has reached the period of diminishing returns. A cry for economy is raised. It becomes clear that the rights of property—by which is meant the maintenance of inequality—are in danger. The reformers are pushed aside, and the stern reactionaries take their place.

But they take the place of the reformers at a period of exceptional trial. The masses have become accustomed to a system of habits built upon the expectation of continuing concession. They are not prepared for their drastic amendment, still less for their revocation. In a representative democracy, where the power of numbers is against the rich, a policy of economy seems like a deliberately organised weighting of the scales against the poor. It may succeed as a temporary measure, amid the drama of crisis; it cannot succeed

as a permanent policy. Its acceptance depends upon the clear proof that it is intended only as an expedient which is to be the prelude to further generosity. Otherwise, it is rapidly and deeply resented. The reformers can point out that the sacrifices demanded have no reference to principles of distributive justice. They simply mean the maintenance of inequality for its own sake. They can show pretty easily how, hardly they bear upon the masses, and they can awaken widespread indignation against their incidence. A reactionary government, which proposes to remain reactionary over any long period, has no alternative but to suspend the classic principles of representative government. For, otherwise, it cannot rely upon that continuity of popular support upon which the success of its measures depends. It has to govern by force in defiance of public opinion; and to do so, it cannot submit itself to the hazards of a popular verdict. Its law of life is simply its own will, and it has to adapt the forms of state to the conditions upon which its triumph depends. In the long run, the price of that decision is revolution. That was the history of France and of Russia; it was also, despite complications of detail, the essential history of modern Italy. There seems no good reason to suppose that it is not a universal rule.

And there is a special reason which gives it peculiar force in our own epoch. The central fact of the age is international economic interdependence. The standard of life of each people depends upon its ability to sell abroad. But because each nation seeks the conditions

of self-sufficiency, the free movement of goods is hampered at every turn. We seem on the horns of a dilemma. Economic nationalism is fatal to the general standard of life, since it destroys that interchange of goods and services which is the condition of world prosperity. On the other hand, above all in an age of machine-technology, the wider the area of free trade the more difficult it is for the more advanced industrial peoples, with a relatively high standard of life, to compete with the more backward peoples with a large supply of cheap labour at their disposal. The Lancashire cotton manufacturer cannot compete with his Japanese rival when the labour costs of each are so gravely different. The result is the development of a protest against the conditions of differentiation which, in the long run, necessarily issues in economic war. National capitalisms use the machinery of the state to fight for the markets upon which their standards of life depend; hence the development of an imperialist exploitation of the backward peoples. But this, in its turn, not only brings competing imperialisms into collision, by an inescapable logic it develops a nationalist outlook in the subject peoples involved. The history of the Turkish and Spanish empires, which governed their subject-peoples badly, does not differ in this regard from those of Great Britain and America, which, on the whole, governed their subject-peoples well. In a capitalist society, the modern scale of production involves a constant expansion of markets; this begets imperialism; and imperialism, in its turn, is the inevitable parent of a new nationalism which immediately organises a



protective system to secure the market of its own capitalists from foreign invasion.<sup>1</sup>

As always, the only way in which we can deal with the dilemma is to evade its necessity. For a world of separate national states living by their access to markets must arm themselves to be certain that the access is available; and if they are challenged they must fight. But we who have learned in unforgettable terms the price of conflict cannot but realise the incompatibility between its onset and the continued existence of civilisation. World-war means universal revolution, and the decencies of life could not survive the chaos and anarchy involved in that prospect. We are driven, accordingly, to escape the dilemma by discovering the formulae of an international society.

What does this involve? Above all, the abrogation of the sovereign national state, and the transference to international control of all those economic functions, currency, tariffs, migration, foreign investment, and the conditions of labour, of which the incidence is international in the modern world. There is a faint beginning of such a system in the League of Nations and its subject bodies. But no one can seriously consider the first decade of the League's history without realising that the danger of the vested interests it confronts is greater than the promise that it will triumph over them. All the powers of prejudice and ignorance are at the disposal of the vested interests which stand in the way of its purposes; to give effect to them means an adjustment in terms of reason greater than any the

<sup>1</sup> Cf. my *Nationalism and the Future of Civilisation* (1932).

world has so far known. An international society postulates an international consciousness. The way to its attainment lies through the reorganisation of the very foundations of our present order.

For an international society, if it is to be effective, has to plan international life; and this means a disturbance of vested interests upon a scale unprecedented in history. It can be effected in one of two ways: by voluntary abdication on the part of the vested interests involved, or by their surrender after defeat in conflict. Of these alternatives, the remorseless consequence of the second is a long period of suffering in which the accidents of violence will be the master of human destiny. The first depends upon the relation, above all, within the Great Powers, of economic to political authority. It is a question of whether those who dominate the economic life of the state are prepared to abdicate their privileges as the price to be paid for the evolution of those international institutions which are now a primary necessity of our position. Obviously enough, the questions involved do not permit of any simple or single answer.

We are dominated by a communal psychology which thinks essentially in terms of the national state; can we rapidly transfer our thinking to the new plane an international society implies? Those who remember the paralysis of the League before the Sino-Japanese dispute of 1931, the lessons of the Disarmament Conference, the contrast between the practices of states and the resolutions of the World Economic Conference in 1927, will not be tempted to give an optimistic reply.

There is profit for the few to be made out of the present way of life; can they adjust themselves to that transvaluation of values implied in a system which, by its primary assumptions, pays no regard to the individual title to profit? Are our national institutions so organised that, should the will of the masses be on the side of a new social order, their will has the chance of prevailing against a powerful and obdurate minority? Whatever, let us note, be the forms of the modern state, the character of its society is increasingly democratic; its privileges now belong to a wealth whose power is indifferent to birth. But is there any reason to suppose that democratic societies have found their appropriate institutions? Is it not the fact that the basic principles of the democratic state are more rigidly criticised than at any previous time? Are we not driven to re-examine the basis of our institutional habits if we are to find the formulae of a new world?

## II

Anyone who begins to consider the problems of our age in such terms as these will find it difficult not to conclude that the period whose character was defined by the French Revolution is now drawing to a close. Roughly speaking, the main feature of that period was its search for the conditions of individual liberty. It finally threw off the yoke of aristocratic privilege and replaced it by a faith in the right of the ordinary man to attain by his own effort whatever position in society he found open to him. That position was a function of

the property that he could amass; and to maximise individual opportunity, therefore, the functions of the state were restricted within the smallest limits. The demand for individual liberty, moreover, synchronised with the Industrial Revolution. Its achievements were so large, its miracles so obvious, that its gospel of *laissez-faire* triumphed easily over all competing faiths. Doubt, as with Carlyle and Ruskin, there might be; passionate hostility, as with the early Socialist movement. But no one who considers the confident optimism of Victorian England can fail to see how little doubt and hostility really counted in the scale.

In the world-movement, the outstanding result was to make Great Britain the predominant state. Its word counted as that of no other people. Its habits were the model which all strove to imitate. Its political institutions were held to contain the secret of combining liberty with order. Its avoidance, in the face of 1789, 1830, 1848, of revolution proved it to possess a governing class which knew how to base its power on popular consent; even in the height of Chartism there was no moment when its supremacy was seriously challenged. It is small wonder that, when the twentieth century dawned, parliamentary democracy seemed, to most observers, the way of life in which national salvation could be discovered.

Parliamentary democracy, as the Victorians conceived it, had obvious and outstanding merits. It had the great virtue of immediate intelligibility. Parties appealed to the electorate for support, and the one which won a majority at the polls carried on the

government of the day until its mandate was exhausted. The opposition spent its time in revealing the defects of the government programme. It sought to discover ways and means of persuading the voter that its accession to power would confer upon him greater benefit than its rival was prepared to offer. In the intellectual battle which ensued, the electorate was educated by its opportunity to consider the rival arguments put forward. The system offered the chance of transferring all disputes from the plane of violence to that of reason. Neither party sought the forcible seizure of political authority. Each was prepared to agree that success at the polls gave an unquestionable title to office. From the reign of Queen Anne, the dynastic question apart, no party in England had seriously considered the possibility of revolutionary effort.

It is a remarkable tradition, upon which it is difficult to dwell without complacency. The organisation of the electorate into parties; the great drama of the day-to-day struggle in Parliament, with office as the prize of victory; the opportunity afforded to able men of a splendid career built upon the proof, sternly tested in Parliament, of character and ability; the majestic and orderly progress which resulted from the effort of parties to discover national need as the path to victory; the clear-cut division between them which made the confusion of coalition abhorrent to both sides; the willingness of the governing class to take the new leaders, as they arose, within the charmed circle so that *novi homines* like the Chamberlains stood upon a

footing hardly less secure than that of an ancient family like the Cecils, once they had arrived; the self-confidence which could allow the amplest criticism of the system's foundations so that the most revolutionary exiles—Engels, Marx, Kropotkin—could live unhampered in its midst; the achievement of a civil service almost free from the evil of patronage, remarkably neutral, magnificently efficient, and capable of avoiding the excesses of continental bureaucracy—these are virtues which no one, regarding alternative experience, has the right to consider with any feelings save those of admiration.

What was the reason for the success of parliamentary democracy? In the main, it may be suggested, it was due to two principal causes. The period of its consolidation was one of continuous and remarkable economic expansion; it became associated, accordingly, in men's minds with outstanding material progress. The standard of life increased for every class; and most of the important questions which were debated—the franchise, education, public health, the regulation of women's and children's labour, the place of churches in the state—admitted of a fairly simple solution. More important, perhaps, was the fact that the two main parties in Parliament were agreed about the fundamentals of political action. After the triumph of free trade, there was hardly a measure carried to the statute-book by one government which could not equally have been put there by its rivals. If the Liberals carried free trade, the Tories gave the trade unions their charter of emancipation. If the Liberals were

responsible for the Reform Act of 1832, the Tories carried that of 1867; and 1884 was a compromise between them. Each shares in the credit for the reform of local government. Each laid a great foundation-stone in the structure of national education. Neither in foreign nor in imperial policy would it be easy to find differences between them of a thoroughgoing character; even over Ireland the distinction between them, as the ultimate solution made clear, was one of degree rather than of kind.

Broadly, that is to say, the two parties were in unity over the kind of state they wanted. There was little difference in their social composition. If the Tory members were slightly more aristocratic than their rivals, Liberal cabinets tended to contain a somewhat more emphatic representation of the aristocracy. The Miners' Federation might contribute a small number of working-men members, like MacDonald and Burt, to the ranks of liberalism; but the Tories could claim that their greatest leader, Disraeli, understood the social problems of the time with an insight to which Gladstone could never pretend. Both parties were in substantial agreement upon the vital importance of liberal individualism, especially in the industrial realm; both refused to see the state as more than a supplementary corrective of the more startling deficiencies of individual execution. Both, that is to say, were confident that the establishment of liberty of contract made it unnecessary to examine that principle in the context of equality. They could afford their differences of opinion because, as in the relationships of a family,

these were based upon those substantial identities of outlook which make compromise possible at all pivotal points.

This happy condition continued until the emergence of new issues neither of the historic parties had foreseen. After the 'eighties of the last century the industrial supremacy of Great Britain was no longer unchallengeable; and demands began to be made by the working-class which neither party was prepared to admit into its programme. The rise of Fabian socialism, the birth of the Independent Labour Party, the increasing absorption of the trade unions in political issues, meant the end of the Victorian compromise. A new outlook was being born, of which the principles were incompatible with the *laissez-faire* state. Before the war the surplus wealth at the disposal of British capitalism was still great enough to enable the older parties to fight for the support of their new, but weak, rival by the offer of social legislation. They tacitly abandoned *laissez-faire* for the social service state in order to evade discussion of the central issue of economic power. They adopted, and began to pay the price for, socialistic measures without attempting to face that problem of the ownership and control of economic power which is the root problem of equality.

Nothing shows the change better than the difference in the levels of taxation between the Victorian and the Edwardian epochs. In 1874 Mr. Gladstone could consider the abolition of the income-tax as the basis of his electoral campaign. Forty years later, income-tax, super-tax, and death duties were not only at a figure



which would have horrified the Victorian financier, their products were expended upon objects which never came within his purview. The state was no longer conceived as an umpire in what Sir Henry Maine called "the beneficent private war which makes one man strive to climb on the shoulders of another and remain there through the law of the survival of the fittest."<sup>1</sup> The state had become an instrument for transferring income from the rich to the poor in the hope of making life adequate for these; it was a method of redressing the worst inequalities which resulted from the "beneficent private war." The survival of the fittest had been replaced by mutual aid. The gospel of "ransom" was being preached with a vengeance.

Yet anyone who analyses the defence of the new policy will find it suffused with an apologetic temper. The positive state has arrived, but it is permitted entry upon the condition that it does not become too positive. It must not touch the essential outlines of the historic structure; the basic sources of power must still be entrusted to private hands. The socialist dream of a community in which the motive of private profit is replaced by that of public service is still regarded, by Liberal and Conservative alike, as inadmissible. And, in this aspect, the experience of the war is exceedingly suggestive. For four years its necessities made the state everything and the individual nothing. Enormous expenditure could be undertaken, wide schemes of reconstruction could be planned, in the belief, born of the national unity born of struggle for survival, that

<sup>1</sup> *Popular Government* (2nd edition), p. 50.

all things could be made new after the war. The railways were to be nationalised; there was to be a new partnership between capital and labour; vast educational schemes were to give to the children of the masses a new equality of opportunity. The "comradeship of the trenches" was to bring a new England into being.

Ideal and reality proved very different. After the brief post-war boom, Great Britain settled into that steady industrial depression of which a decade has not seen the end. Great strikes, culminating in the General Strike of 1926, were the order of the day. There was no nationalisation of the railways, and most of the schemes of reconstruction were pigeon-holed. The Liberal Party suffered a great eclipse; its supporters showed a growing tendency to ally themselves with either Labour or the Tories. The latter adopted a despairing policy of economic nationalism. Labour, brought twice to office within five years, though in each case without a majority, went in for large-scale and costly measures of social reform of a type which, though evading any fundamental issues, pressed heavily on the side of taxation, upon hard-driven business men. The price of its expedients was intensified by the return to the gold standard (which hit the export trades) and the short-term loan policy of the City of London which fastened British credit to the perilous structure of continental finance. When the May report of 1931 revealed the dubious position of the British Budget, with the inevitable consequence of further heavy taxation, the Labour Government was confronted with a demand for economies which would, had they

been accepted, have cut the ground from under their social philosophy. They were driven from power, and their rivals, headed by their own late leaders, took their place as a Coalition Government. Amid circumstances of financial panic the coalition obtained, at the general election of 1931, the largest majority in the history of parliamentary democracy.

The crisis of 1931 is worth reflecting upon for a number of reasons.<sup>1</sup> It drove Liberals and Conservatives into an alliance which has, in its essentials, all the appearance of permanence; for at least half the Liberal members of Parliament accepted the necessity of tariff reform—hitherto their main line of division—and all accepted the government's policy on international and imperial relations. On all domestic issues the Coalition Government moved drastically to the right; economy at the expense of the social services—the recognition, in a word, that the policy of concessions had gone too far—was the pivot of its policy. The Labour Party, simultaneously, moved with equal fervour to the left. For the first time in its history it was driven to recognise that compromise with capitalism was impossible. It adopted a policy of which the central purpose was a direct assault upon the foundations of economic power. National ownership and control of the banks, the land, power, transport, the mines, investment, and industries like cotton and iron and steel under government control, these were put in the forefront of its programme. It proposed to use the normal mechanics of

<sup>1</sup> See my *Constitution and the Crisis* (1932) for a full discussion of its meaning.

the constitution for its purposes; it was not, at least consciously, in any sense a revolutionary party. But the experience of 1931 led it deliberately to abandon its belief in "the inevitability of gradualness." It announced that the transference to the state of the key economic positions must immediately follow upon its next conquest of the electorate. It is worth noting, moreover, that within the ranks both of the Coalition and its opponents there were dissident groups which found their respective policies too tame to suit the circumstances of the time.

What is the meaning of this evolution? Two considerations immediately suggest themselves. The growth of socialism, the concessions in reform which had to be made to that growth, challenged the foundations of a capitalist society. The immediate, though only half-conscious, result was that the division between the capitalist parties was closed, and they confronted Labour as effectively a single entity. Men who had been lifelong opponents on small issues now found themselves in agreement on large ones. As soon, that is, as the basis of the Victorian compromise was challenged, it was the identity in fundamentals, and not the differences in minutiae, between the makers of that compromise which became significant. Meanwhile its opponent had reached a doctrinal position in which its accession to power would involve a denial of the fundamental basis upon which the compromise had been made. For the first time in British history since the Puritan Rebellion parties confronted one another with respective ways of life which looked to wholly

antithetic ends. Between a capitalism which sought to preserve the motive of private profit as the keystone of the arch, and did not propose to allow the essential sources of economic power to pass from private ownership, and a socialism which denied the validity of either premise, it did not appear that there was the possibility of a new compromise. Changes of government, in such a perspective, would mean upon each occasion a constitutional revolution, the strains and stresses of which would, as Lord Balfour predicted with sombreness,<sup>1</sup> test to the uttermost the flexibility of the English political scheme.

And, in this context, it is worth while to consider for a moment the similar evolution in other countries. America apart, it is notable that in European countries parliamentary democracy has had nothing like the success which attended it in the home of its origin. In Germany, in the pre-war period, it never attained that elementary stability which depends on the domination of the army by the civil power. The Reichstag of the old empire was rather a competitor for authority than a participator in it. The Chancellor could not govern without some measure of reliance upon the legislative assembly, but his power was always, especially in foreign affairs, largely independent of it. Even more important, the socialists, who were always the effective source of opposition to the government, never attained a fully recognised status in the community; it was always realised that their attainment of office would

<sup>1</sup> Introduction to his edition of Bagehot's *English Constitution* (1927), p. xxiii.

mark a revolution in the *tempo* of affairs. In the post-war period, all the conditions of internal stability which are required to lay the foundations of parliamentarism were absent. No party could attain an effective majority in the Reichstag. A mass of groups lived together in more or less uneasy coherence, none being able, as a government, to live by its principles, and all administrations being dependent upon their power to rule by emergency decree. The differences between German parties were of so ultimate a character that, on essential matters, each was prepared to fight rather than give way. Parliamentary government, in a word, was incapable of solving the problems of post-war Germany.

In Italy, if the character of the evolution is different, the results are the same. Between the major groups in the Italian pre-war parliament differences of essential principle were not evident to the outside observer. Governments differed from one another in persons; they did not differ in purposes. The disillusion of the war led to a socialist revolt against the bourgeois régime. Premature in time, and badly organised, it led to the counter-revolution from which the Fascist state emerged. This, in its essence, was a simple denial of all the principles of parliamentary government. The real centre of power was neither in the electorate nor in the legislative assembly; it resided in the Fascist Party, which was in fact a naked dictatorship basing itself in part upon the support of the Italian industrials, in part upon its ability to pay its way by obtaining loans from abroad. It displayed, despite its proud boast of a new theory of the state, all the characteristic features of a

Renaissance tyranny—a foundation in Caesarism, a spirited foreign policy to draw attention from domestic grievance, vast expenditures upon public works, drastic public safety laws which ignored all the usual principles of criminal justice, the violent stifling, even to the point of murder, of all organised opposition, a rigorous censorship of the Press. It is difficult to discover any underlying principle in the Fascist régime except the dubious one of *raison d'état*, and its ideology depended upon the momentary temper of its dictator. Behind him, in an uneasy alliance of which the effective terms were unrevealed, stood Italian capital. But nothing can be predicted of the Italian system except its obvious impermanence. Like all dictatorships which rest upon a person instead of a principle, it has been unable to discover the secret of stable continuity; and only a brilliant and successful foreign policy can save it from ultimate attack from within.

The parliamentary history of France has a character all its own. Until the Third Republic, no régime after 1815 lasted for more than twenty-five years. If the system was built upon a narrow franchise, it resulted in revolution; if built upon a wide one, it emerged into dictatorship. The chief events of the Third Republic do not suggest the arrival at stability. Constitutionalism barely survived the Dreyfus case and the Separation. When those crises had been passed, preoccupation with the coming war with Germany enabled every government to postpone serious consideration of the social question. The French Chamber has never had a government with a coherent majority; but the groups

into which it has been divided have at least been able to join hands in their opposition to socialism. And in the post-war period what has emerged in France is the intensity of this opposition. The French governmental parties, whether of the Right or of the Left, have had at bottom no other preoccupation than the consolidation of their gains from the Treaty of Versailles. To that end they have pursued a policy in which ultimate European conflict is inherent; to that end, also, they have postponed all necessary reforms. The growing feature of French life is the scepticism of the parliamentary system. No one can say that any other régime attracts adherents in any numbers. One can say that a socialist majority in France would raise ultimate issues about the form of state. One can say also that another war would bring the edifice of parliamentarism crashing to the ground. The French people, in the technical sense of that word, wants peace; it would not continue to entrust its destiny to a system dominated by interests unable to maintain it.

I shall discuss later the crisis in the French institutional scheme. Here it is enough to note that it exists and that it goes to the root of things. When we turn to America, now the classic home of large-scale capitalism, the parlous condition of representative democracy is not less evident. America, like Great Britain, has lived for effective purposes, under a two-party system for over a hundred years; dissident major groups have arisen, like the Progressive Party in 1912, but they have always been ultimately absorbed into the historic organisations. The Socialists, no doubt, have maintained



a separate existence for a long period, but, in the peculiar economic conditions of America, they have exerted no real influence on events. The essence of the American party conflict has been an absence of any real distinction between the rival claimants for power. On the whole, the Republicans have been more directly associated with Wall Street, federal centralisation, a higher tariff; but these have been so much matters of degree that they do not obscure the essential fact of a real identity of interest between the parties. Like Liberals and Conservatives in Great Britain, they have been able to quarrel peacefully about minor matters because they were in agreement upon the fundamental way of American life. Internal development for the benefit of big business; the export of capital for the same advantage; the real sources of power outside its formal holders—this has been the permanent characteristic of American history since 1787. The nature of the evolution was largely concealed because, until the filling-up of the West, the resources of America seemed vast enough to prevent the emergence of the European social problem. But, once the last frontier had been crossed, it became the obvious destiny of America to repeat the classic evolution of European capitalism in a more intense form.

To repeat it, but with greater difficulties to confront. America has been for so long a frontier civilisation that its communal psychology, as Mr. Leonard Woolf has happily termed it, has remained intensely individualist even in an age where the primary assumptions of individualism were obsolete. It has lived under a

constitution so organised as to minimise the power of popular will and to confront it with a body of safeguards for the rights of private property which has made it difficult to enact even the most elementary forms of social legislation. Until quite recently, moreover, the state, in its European substance, has hardly been necessary in American life ; with the result that popular interest has never been deeply concentrated upon its processes. Now, when a state is necessary, the American people lacks that sense of its urgency which can galvanise it into rapid and effective action. It has been so long tutored to believe that individual initiative is alone healthy that it has no appreciation of the plane which must be reached in order to make individual initiative significant.

The defects of the American political scheme are, to the outsider, little less than startling. The Congressional system seems based upon principles so checked and balanced against one another that they paralyse the power to act. The states are historical entities ; but industrial development has largely deprived them of effective reality as governmental units. City government, for nearly a century, has been a dismal failure ; cities like Chicago, Philadelphia, New York, resemble, in their internal governance, rather the British municipal position before 1835 than the possibilities of modern administrative technique. The public business, save in periodic movements for reform, has been no one's business in an orderly and coherent way. There has never, as in England, been a strong and widespread trade union movement whose political philosophy

canalised the will of the masses into political channels; the average American was too certain that he would climb out of his class to be willing to build organic expression of its purposes. Opportunities were so great, until a quite recent period, that the acceptance of the business man as the highest type of civilisation was hardly questioned. Private profit was assumed to be the foundation of public good, and the great figures of American industry assumed, for the man in the street, the proportions of national heroes.

Yet, as soon as crisis came, it was obvious that the central American problem was no different from that of the European. It was the problem of planning the use of American resources for the total good of the community when the power to control them for private benefit was protected by the amplest constitutional safeguards any people has ever devised. The problem was rendered the more intense by the fact that long prosperity had persuaded the average man that the Constitution was as nearly sacrosanct as any such instrument might be. The disproportion in America between the actual economic control and the formal political power is almost fantastic; what Senator Root has called the "invisible government" of America exercised an authority not attained in any European country. The intellectuals might criticise passionately; the trade unions might formulate programmes of adjustment; the liberals might insist upon the necessity of creative experiment. Here and there a radical group, like the Non-Partisan League in North Dakota, might attempt the conquest of political authority. The

whole system was too firmly geared to the philosophy of individualism for a more positive outlook to be effective in any short space of time. There is in America a wider disillusionment with democracy, a greater scepticism about popular institutions, than at any period in its history.

One other point about America is worth making. Only once before—in the Civil War—have its political institutions been tested in a crisis. It was then discovered that the abyss between the advocates and the opponents of slavery was too profound to be bridged by compromise, and a bloody conflict was necessary to resolve the issue. It is worth remark that the antagonism of interests to-day is not less momentous. Banking, power, oil, transport, coal, all the essential services upon which the public welfare depends are vested interests in private hands; and the divorce between ownership and control is more complete than in any other country. The legal formulæ of the Supreme Court make an assault upon the economic privileges of the few at the best a dubious adventure. Yet the American democracy is more remote from mastery in its own house than those of any country upon the European continent. Is it likely, without a drastic change in the American Constitution, that such a mastery can be attained? And what evidence is there, among the class which controls the destiny of America, of a will to make the necessary concessions? Is not the execution of Sacca and Vanzetti, the long and indefensible imprisonment of Mooney, the grim history of American strikes, the root of the answer to that question?

Nor is there comfort in other directions. In Poland, Hungary, Rumania, Jugoslavia, the pretence of parliamentary democracy has been abandoned. In Japan the formal source of essential power is in the hands of a military oligarchy. After ten years of a monarchist dictatorship, Spain has revived a parliamentary régime; but no one could claim that it has yet discovered the conditions of stability. The South American republics continue their unenviable record of casual revolution, of which the causes, rather than the occasions, seem to be capable of interpretation. China is the prey of bandits without principle where it is not the battleground of revolutionaries without authority. Turkey and Persia have changed from dictatorships on the Eastern to dictatorships on the Western model. Only the British Dominions, Holland, Belgium, and the Scandinavian countries remain, with Switzerland, at all firmly wedded to a parliamentary system. But the evolution of Canada is not unlikely to follow that of the United States; while the economic position of Australia makes the persistence of parliamentarism a matter upon which doubt is permissible. A country mortgaged to absentee creditors cannot easily maintain a high standard of life for the masses and continue to pay the interest on its debt abroad. If it defaults upon the debt, its international position becomes dubious; if it meets its obligations, a high standard of life becomes inaccessible to all save a small, wealthy class. Is it likely that universal suffrage will produce the conditions upon which the security of capitalism depends? And is not the continuance of parliamentary democracy in South

Africa dependent, above all, upon the agreement of British and Boer alike to unite in the exploitation of black labour. Is not its basis, like that of Athens, rooted in slavery, with the important difference that it does not reproduce the gifts of Athens to the mind of the world?

### III

What is the essence of the position thus revealed? Political democracy developed in response to the demand for the abrogation of privilege. In modern European history its cause was the liberation of a commercial middle class from domination by a land-holding aristocracy. To free itself, that middle class formulated a body of liberal generalisations which culminated in the widespread grant of universal suffrage. Their underlying philosophy was the well-known Benthamite argument, that since each man in a political democracy was to count for one, and not more than one, and since each was, on the whole, the best judge of his own interest, universal suffrage would permit the translation of the majority will into the substance of legislation. Sinister interest, it was urged, belonged only to a few; privilege could not resist the onset of numbers. Representative democracy, on the basis of equal and universal suffrage, would mean the creation of a society in which the equal interest of men in the results of the social process would be swiftly recognised. The rule of democracy was to be the rule of reason. The party which best grasped the purpose

of the electorate would win a majority in the legislature, and it would use the normal, constitutional forms to give effect to that purpose.

The flaw in the argument was an obvious one. It assumed the absolute validity of the form of the political state regardless of the economic character of the society it was supposed to represent. It did not see that each economic régime gives birth to a political order which represents the interests of those who dominate the régime, who possess in it the essential instruments of economic power. In a feudal society, broadly speaking, sovereignty belonged to the owners of land; custom was registered, legislation was made, in their interest. In a capitalist society, quite similarly, sovereignty belonged to the owners of capital; and custom was registered, legislation made, in their interest also. The simplest test of this truth in any society is the analysis of the working of the Courts. And if their decisions be scrutinised, it will always be found that, in the last analysis, they are inexplicable except upon the basis of their effort to defend the sovereignty of the owners of economic power. The framework of a legal system is always geared to that end. (Liberty means liberty within the law, and the purpose of the law is the protection of some given *status quo*.) Its substance is always the result of a struggle to widen an existing basis of privilege. Those who share in this may on occasion be tempted to the surrender of an occasional outwork; they have always defended to the last the possession of the inner citadel.

It is in the perspective of these general truths that

the history of parliamentary democracy must be set. It has been successful in the difficult task of enabling the outworks of the capitalist system to be surrendered to its opponents; it has at no point solved the central problem of the inner citadel's surrender. It has discovered ways and means of graceful compromise, wherever compromise has been possible; it has not proved that it forms the natural road to a new equilibrium when the differences between men are ultimate. For we have to acknowledge the grim fact that, at the parting of the ways, men in the possession of actual sovereignty choose to fight rather than to abdicate. In Great Britain, no doubt, the genius for compromise has been peculiarly outstanding, though that is most largely due to the fact that the ultimate issues have never been raised. In other European countries this has not been the case, and a break with the old legal order has invariably become imperative in order to find the necessary conditions of a new equilibrium. The power to compromise while compromise is still possible is perhaps the rarest quality in history.

And if the character of the struggle involved in the historic process be analysed, its root will be found always to lie in the unending problem of equality. Those who are denied access to privilege seek to destroy privilege. It may present itself under the most various forms—religious, social, economic, political. It may be accepted for a period as part of an order of nature; the abolition of the prerogatives of the House of Lords was hardly thinkable to the eighteenth century. But, sooner



or later, those excluded from privilege resent their exclusion, and it is then only a matter of time before they attack it. And unless they can be convinced that the maintenance of the privilege is directly associated with their own good, the choice offered to the society is always one between concession and violence.

Anyone who considers the natural history of parliamentary democracy in these terms will have no difficulty in realising the crisis that is before it. The people was taught by the ideology of its early triumphs that the conquest of political power meant that they would be masters of the state. They found, indeed, that having conquered it, the way lay open to acquisitions unattainable under any other system. But they found, also, that to have won formal political power was not to have gained the mastery they sought. They realised that the clue to authority lay in the possession of economic control. When they sought to move by the ordinary constitutional means to its conquest as well, they found that the fight had to be begun all over again. Not only was this the case, but the essential weapons lay in their opponents' hands. The Courts, the Press, the educational system, the armed forces of the state, even, in large degree, the bureaucracy, were instruments operating towards their defeat. If they maintained law and order, they maintained that subtle atmosphere upon which the security of economic privilege depended. If they sought its overthrow by violence, in ordinary circumstances the organised power of the state was on their opponents' side. If they became the government by the methods sanctioned in

constitutional law, they found, first, that they could not count upon its instruments of action, and, second, that their opponents were not always prepared to observe the traditions they themselves respected. They discovered, in a word, that agreements peacefully to disagree could only be maintained when the subjects of contention were not deemed valuable enough, by either side, to justify resort to violence.

This may be put in another way. The Industrial Revolution brought the middle classes to power, and they evolved a form of state—capitalist democracy—which seemed most suited to their security. Capitalist democracy worked admirably so long as the environment was stable enough to maintain the self-confidence of its governing class. But inherent in it was a new struggle for power. It offered a share in political authority to all citizens upon the unstated assumption that the equality involved in the democratic ideal did not seek extension to the economic sphere. The assumption could not be maintained. For the object of political power is always the abrogation of privilege; and that abrogation can only be postponed when the conquests of the new régime are so great that it can offer a constantly increasing standard of life to the masses. That happened in the nineteenth century, and parliamentary democracy then seemed to all but a few prophets of woe to fulfil all the conditions of security the new governing class demanded. That class, however, failed to foresee two things. It did not realise how rapid would be the changes in environment due to scientific discovery; how accelerated, therefore,

would have to be the adaptability of the political system to a new economic atmosphere. Nor did it understand that the association of nationalism with statehood, the domination of both by the vested interests of the propertied class, would place technical barriers in the way of capitalist expansion at the very moment when this was most necessary. The system, accordingly, faced the dilemma that at the very moment, again, when its productive processes were at their maximum power it could not solve the problem of distributive justice; to maintain itself, it had to lower the standard of life just when democratic expectation looked to its dramatic expansion proportionately to the increase in productive power. And since that democratic expectation was accompanied by the knowledge that political authority belonged to the people, it was wholly natural that they should seek to solve the dilemma for themselves. They hoped, in a word, to solve the problem of political justice by obtaining possession of the sources of productive power.

The disintegration of parliamentary democracy, if this analysis is correct, is then due to the fact that the leaders of the class who dominate it cannot meet the demands made upon them. The new class which has arisen to political authority, dissatisfied with the results of the present state, seeks to reorganise it in its own interest. The rise of a new class to political power is always, sooner or later, synonymous with a social revolution; and the essential characteristic of a social revolution is always the redistribution of economic power. Here, it may be urged, is the centre of the

*malaise* in representative democracy, the root of the crisis it confronts. A new society is struggling to be born within the womb of the old; it finds the forms of that old society resist its effort at emergence. It is, I think, wholly natural that, if those forms should be found too inflexible to permit the easy birth of the new order, an attempt should be made to break them.

There is, I think, a quite special reason why, in a crisis like our own, the dominant class should find it peculiarly difficult itself to adapt its social forms to new conditions. The type-person of this dominant class has been the business man. He has been evolved in an environment which has made a genius for getting money the outstanding feature of his character. To the money-motive, as the most satisfactory measure of life, the business man has sacrificed everything. No doubt he has his code, but it is vital to realise that his code is not one recognised as adequate by any other class in the community. For him, all activities are referable to the single standard of profit. For profit he buys and sells. He recognises no responsibility save the service of profit. If legislation seeks to curb his activities, he will denounce it without stint; and, as the history of American statutes perhaps most notably makes clear, there is hardly any step he is not prepared to take in order to secure its abrogation. Specialisation in money-making has, in fact, gone so far with the business man that he is unable to understand the building of social relationships in which its attainment is not a primary end. By making money the end of all things, he has separated himself from the power to co-ordinate the

interests of society at any point where profit has to be foregone. In those circumstances, where the business man, as the master of society, ought to be engaged in the task of unifying disharmonies, his peculiar psychology makes it impossible for him to understand their significance. Unless his opponents can be bought off, the business man has no way, save conflict, of dealing with them.

That this is no unfair account is proved, I would submit, by the relation of the business man to politics. It is, for instance, significant that in the whole history of parliamentary democracy no great statesman in any country has been a business man. Like Bonar Law in England, Loucheur in France, they have often held high, even the highest office; but there is no evidence of any who has attained the kind of influence over his contemporaries that came to men like Washington, Lincoln, Gladstone, Bismarck, or Cavour. The reason, I suggest, is the simple one that public opinion has never been able to accept the capitalist's claim to be the trustee of public interest. It has always seen him for what he is, a specialist in money-making. It has never really believed that he has a sense of responsibility outside the narrow limits of his class. He has never regarded the law as a body of principles above the narrow interests with which he has been concerned; he has always been willing, by fair means or foul, to secure its interpretation for his special purposes. No doubt, in his own way, he has been thoroughly devoted and conscientious; there is no reason to doubt the sincerity of his identification of his private well-being

with the public good. When, as in America, he has bought judges, state governors, even the presidency itself, he has done so in the belief that to make them the pliable instruments of his purposes was the best thing for the American people. He defended himself in the only way he understood because he genuinely believed in his divine right to rule.

But the peculiar psychology of his special *métier* prevented him from seeing how profound were its limitations. If the justice of the Courts was the decisions of his justice, those who were denied equal participation in its benefits were bound in the long run to suspect its quality. If the statutes of the legislature were his statutes, the fact that he was their author was bound sooner or later to be perceived. The people of Germany may not be profoundly versed in political science, but it cannot be kept from them that the government of von Papen has interests which are not coincident with those of the German people. The little tradesman of Lyons may be imprisoned in a narrow routine, but even he can see that the will of France and that of the *Comité des Forges* are not the same thing. The average trade unionist may be misled once by an attack upon the pound, but an economy campaign which seeks to reduce income-tax at the price of the schools and housing and the unemployed soon opens his eyes. He is bound to ask himself whether what he has been told to regard as the rights of property do not conflict with his own conception of social good, whether they are, in fact, so inherent in the order of nature as he had been taught to suppose. And once he distrusts the philosophy

of the business man, he is bound to distrust the business man himself. The more strongly the latter defends himself, the more bitterly he will be opposed, for in politics, as in nature, action and reaction are equal. Representative democracy in that situation has either to accommodate itself to a world in which the wants of the business man are no longer predominant, or whether for good or evil, it will cease to be either representative or democratic.

This is to say that the survival of parliamentary democracy, in anything like the form in which we have known it, depends upon the business man ceasing to be a business man merely. He has to find ways of generating the force by which its engines are operated through motives wholly different from those upon which he has previously relied. It is not an easy task; it calls for a sagacity and an energy of the intelligence far beyond anything he has displayed in these critical years. He has to do so amidst circumstances of unexampled challenge. It is not merely that he confronts, in an especially intense degree, the classic conflict of capital with labour organisations more permeated with socialist ideals than at any previous period. It is not only, also, that, for the first time in the modern world, doctrine antithetic to his own stands forth in the panoply of an armed state believing passionately in its obligation to propagate its own doctrine. It is not only, further, that the main figures in literature and the arts combine increasingly to deny the system of values he has created.

All this is important enough; but perhaps even more

important is what has happened to the technicians who were once so wholly under his own control. The significance of the foundation of industrialism in the technical sciences seems to have escaped the business man. As these sciences have developed, they have become organised into professions; they have created within themselves a spirit of their craft, of which the essence is a refusal to be governed by the mere motives of private gain. They display, in fact, standards, habits, purposes which escape the control of the business man because they are outside the range of the knowledge his speciality confers upon him. Just as the lawyer and the doctor have always been more than men who gain a living by the practice of law or medicine, so the engineer, the chemist, the architect, to take only obvious examples, have developed a sense of service to an ideal in which money-making has no necessary part. This is particularly and significantly true of the administrator in modern government. His membership of a profession relates him to purposes beyond himself, and he ceases, from the strength afforded him by the tradition in which he shares, to be commanded *à l'outrance* by men who would deny that tradition. So, not less significantly, with the teachers in the modern community. The educational standards upon which they increasingly insist are coming to be born, not out of consideration for the taxable limits of the business man's income, but out of the needs their material reveals. The greater the development of professions, in a word, the greater hold upon the community has the motive of public service; and the greater the hold of



that motive, the feebleness is the claim of the business man to preserve his own antithetic standards. For while he may continue to preach that the basis of public well-being is to be found in the predominance of the money motive, there will be continually fewer people to believe him.

It is no doubt true that the revolt of the professions against the standards of capitalist democracy is in its infancy, and it is true, also, that both professionalism and expertise have their own special defects against which precautions are necessary in the social interest. My point is simply the obvious one that in a realm promoted by the business man for his own private purpose, another purpose develops wholly alien from his own. And its whole ethos goes to augment the volume of criticism directed against his way of life. To take only one example: no one has done more to break down the theory of inherent rights in the owners of private property than government officials. Doctors, engineers, surveyors, sanitary inspectors, by their continuous revelations of what those inherent rights imply, revelations made in the interest of the standards of their respective professions, have developed a doctrine of eminent domain which, little by little, they have forced upon the acceptance of successive governments. So, also, it may be argued, the driving force behind the demand for a factory code has been less the pressure of organised trade unions than the remarkable reports of the corps of factory inspectors who have given the point of inescapable substance to the pressure. The true philosophy of capitalism in practice has been

more frankly revealed by men unwedded to alternative doctrine, not seldom, indeed, unconscious that they were criticising its foundations, than has ever been done by its opponents. It was upon the basis of government reports that Karl Marx drew up his terrible indictment.

#### IV

The spectacle that we are witnessing is, therefore, a familiar one in substance even though the forms of its expression are new. The decay of our political system is due to its failure to embody a new spirit different from that which it was devised to contain. That new spirit brings with it its own sense of values, its affirmation of a plane of rights antithetic to the old. It is, like its predecessor, a plea for variety in unity, a search for a new balance between order and freedom. Like its predecessor, also, it seeks the means for the affirmation of individual personality. But its way of attaining its ends is wholly different from that which marked the previous path.

The error which was inherent in capitalist democracy was its atomic conception of social life. That error, regarded historically, was intelligible enough. It was a protest against controls upon individual behaviour exercised in the name of a small oligarchy whose actions were rarely referable to rational principle. Its exercise of authority made government itself seem a necessary evil. The more narrow the sphere of its operations, the greater, it was argued, would be the

freedom of citizens. Let a man, with the minimum of control, make the best of himself that he can, and the result is bound to be social justice. It is not difficult to realise the appeal of the liberal state to religious dissidents who saw in it only their opponents' instrument of persecution. It is not difficult, either, to recognise its attraction for business men who saw in its emergence an opportunity for action free from the trammels of inefficiency and corruption. It is even easy to see the influence it exerted upon the masses who could salute in its evolution the erosion of those privileges of which they had first-hand experience, and the creation of those opportunities to which they had previously been denied access. We can still assist in imagination at the fall of the Bastille and understand why, to generous minds, it could seem the greatest event in the history of the world.

But the liberal state, though it represented a definite gain in social freedom upon any previous social order, was in fact no more than the exchange of one privileged class for another. And its refusal to link political liberty with social equality had grave consequences. It brought into the control of authority a race of men whose idea of good was built in the association of material success with civic virtue. The "private war" of which Sir Henry Maine spoke was for them morally beneficent. They equated effective economic demand with right. They argued that for the weaker to go to the wall was a law of nature to which we were disobedient at our peril. They forgot two vital needs in any social philosophy which seeks the character of permanence.

It must always be able to show that the differences between men to which it gives the force of law must be clearly explicable in terms of reason. Those, that is, who are excluded from its major benefits must acquiesce in their exclusion as just. It must be able, in the second place, generally to separate the impact of men upon society from their material position as owners of property. Its idea of good must be, in fact not less than in form, projected beyond the material plane.

The liberal state failed to fulfil either of these canons. The history of its emergence, indeed, synchronises with the history of protest against its dogmas. From the earliest period it was obvious to its critics that its boasted liberty of contract had no meaning except in the context of equality of bargaining power. From the earliest period, also, it was obvious that its equality before the law had in general no meaning save where a citizen had the wealth with which to purchase equality. The liberal state began in a condition of society in which the few were rich and the many poor; it ended in a condition in which the few were still rich and the many poor. Its explanations of this situation were hardly satisfactory. No one believed that the difference between rich and poor was really due to ability or moral worth. Few could see why, if wealth was scarce, the recognition of an equal claim to its benefits did not represent the maximum social advantage. The answer that the recognition of an equal claim would destroy in the successful the motive to success was a far more explicit condemnation of their

habits than most of their critics would have been anxious to make.

Nor was its effort to meet the second canon more successful. For its test of success was, by and large, simply the ability to make money. The wealthy were always certain of adulation, so long as they retained their wealth. The poor were divided into the worthy—those who accepted their lot without repining—and the unworthy, into which category were lumped all who, for the most various reasons, did not fulfil the canons of capitalist democracy. So complete was the permeation of society by the gospel of success that the poor were long persuaded to believe that they were wiser to choose a rich man than a poor man as their political representative on the curious ground that, because the former had no personal interest in being corrupted, he would be more careful of their well-being, more likely to take a larger view. But perhaps the supreme example of the doctrine of success in action was the restriction of the term “society” to the little group of leisured people who could make themselves notorious in the news by the conspicuous waste in expenditure of which they were capable by reason of their wealth. When *The Times* could bestow upon the wedding of the Duke of Norfolk the epithalamium of a leading article, it was obvious that the system had lost all sense of contact with any rational principle of value.

I have already explained how the liberal state endeavoured to meet the challenge addressed to it by transforming itself into the social service state. It was by reason of this challenge that, as early as 1870,

Cairnes could declare that "the maxim of *laissez-faire* has no scientific basis whatever, but is at best a mere handy rule of practice."<sup>1</sup> It was by reason of this challenge, also, that Professor Cannan could write, forty years ago, that "scarcely a single English economist of repute will join in a frontal attack upon socialism in general"; though we must not omit his significant addition that "nearly every economist, whether of repute or not, is always ready to pick holes in most socialistic proposals."<sup>2</sup> But, as I have sought to show, the social service state depended for its continuance upon its ability to find a constantly expanding market in which profit could be obtained. Otherwise it met the dilemma that its mitigation of the results of inequality would rapidly destroy that position of privilege attack upon which was the *raison d'être* of the social services. When the market ceased to expand, the governing class became quickly unwilling to allow the masses to gather the crumbs from its table.

So that capitalist democracy found that it could not meet its problems in terms of principle because it could not, from its very nature, bring liberty into a just relation with equality. If it abandoned the motive of private profit as its central principle, it would have to remake all its institutions upon the foundation of a new assessment of motive. If it stood by the motive of private profit, it had no alternative but to fight with those who denied its adequacy. And, in the latter

<sup>1</sup> Cairnes, *Essays on Political Economy*, p. 244.

<sup>2</sup> *Theories of Production and Distribution* (1894), p. 494. I owe these two quotations to Mr. J. M. Keynes. *End of Laissez-Faire*, p. 26.

event, it could not hope to maintain its democratic forms for the simple reason that war and democratic government are incompatible terms; since war means the abandonment of fixed constitutional principle in favour of *raison d'état*. But even its abandonment of private profit was a matter of difficulty. There had accumulated about it vested interests, traditions, emotions, which were not prepared for abdication. Given geological time, it might well be that men could accustom themselves to the disappointment of established expectation. But it is an inherent condition of the problem of capitalist democracy that it must accustom itself to swiftly changing technical equilibria which alter, as in the great German inflation, the power of vested interests overnight. Let us remember that Hitlerism is, above all, the expression of emotional indignation against the disturbance of a wonted routine. It then becomes intelligible why men may reasonably doubt whether we live under the psychological conditions which make peaceful solutions possible. The creation of new traditions is always a revolutionary adventure, and the price of revolution in each instance depends upon the doubtful power of reason to master the passions which dispute its title to rule.

## CHAPTER II

# THE DECAY OF REPRESENTATIVE INSTITUTIONS

### I

I have so far discussed in general outline the character of the crisis in which capitalist democracy finds itself involved. Though this has, inevitably, affected every aspect of civilisation, it has naturally made a particular impact on the political institutions of the modern state. The character of that impact is not easy to describe in a brief way. Broadly it may be said to consist in the effort to adapt institutions suited to one set of purposes to conditions in which those purposes cannot freely operate. The result is necessarily serious strain, and it is universally admitted that the problem has become an urgent one. Reorganisation is essential; but no one, save those who accept the necessity of dictatorship, is clear about the lines upon which reorganisation should proceed.

The first great element of difficulty is that of the electorate itself. The assumptions of capitalist democracy require universal suffrage; without it, there is illogic at the heart of the liberal state. But universal suffrage confers political power upon masses of citizens, the greater part of whom is enfolded in a purely private life, and devoid of interest in, or knowledge of, the political process. What it asks from the government of



the day is results ; it has neither leisure nor information to inquire whether the results are, in the given conditions, attainable. Generally speaking, it has not been adequately educated for its special political task, and the problem of organising it for that end falls into the hands of the political parties. The object for which these strive is the simple one—simple at least in definition—of obtaining a majority in the legislative assembly, and they have to adapt their methods to the kind of electorate with which they have to deal.

If ever a history of parties in the modern state is written adequately, it will be one of the great books of the world. It will show a rapidity of party response to rapidly changing social conditions which is in every way remarkable. Parties have to capture public opinion. But the elements of public opinion do not grow out of knowledge, and they are not the product of reason. Knowledge and reason may count, but they remain, quite definitely, at the service of the interests in conflict. And the decisions of men, when they come to choose their governors, are influenced by considerations which escape all scientific analysis. They vote against a government because, whatever its merits, it has been too long in power. They are sent headlong in one direction by panic. They rush in another over some sudden last moment issue which has no real relation to the policies in dispute, and may, as in 1924, contain at least the probabilities of an impudent forgery. They may be confused and distracted because important leaders change sides. The passions of war, as in 1900 and 1918, may make them wholly oblivious of their true interests,

which, in both cases, they begin to realise only when the decision has been made. The problem with a modern electorate is the almost insoluble one of saying, in any but the most general and usually negative terms, what a result does mean; and any particular result, within the whole, is rarely explicable on rational grounds.

It is universally admitted that an American presidential campaign is a four months' debauchery. When Mr. Alfred E. Smith was beaten in 1928, it was agreed that the main item in his defeat was the fact that he was a Roman Catholic, and a minor item, that he did not possess the social habits usually associated with the Presidency of the Republic. Yet every thinking voter must have known that Mr. Smith's religion would, in fact, have no influence upon his political policy; and his social habits, whatever they were, were at least as good as those of either Andrew Jackson or President Grant, and had not prevented him from being, as its Governor, one of the most distinguished administrators in the history of New York State. In a British election, it is agreed that most of the electors do not attend meetings at all, and, of those who do, the vast majority attend meetings of the candidates they have already decided to support. Little election literature is valid that is either long or involved; to attain its end, it needs to be suspiciously general, full of wide promises, passionately critical of the other side, built upon some tremendous slogan that will stay in the elector's memory at least until polling-day. The new techniques of wireless and movietone have still further complicated

methodology. With both, a beautiful voice counts enormously; with the second, the actor's technique is fundamental. Yet both are an appeal to complete irrelevancies which, suitably staged, may well be decisive of the whole issue.

Nor is this all. The complexities of modern politics make the electoral task far harder than at any previous time, because the discovery of truth is so much harder. The kind of issue which the nineteenth century discussed existed upon a plane which could be understood without excessive intellectual effort, and naturally lent itself to the great commonplaces which are the pith of rhetorical analysis. Religious toleration, the extension of the suffrage, the desirability of a national system of education, the reorganisation of local government, these are, in their larger perspective, the kind of thing the average man finds interesting and intelligible without the possession of special knowledge. Nor is this all. Because this is their nature, they permit also of distinguished debate in a legislative assembly. The processes by which the latter reaches its decisions can be made illuminating and instructive to the public mind. The debates of the nineteenth century did not, I think, arouse greater interest or secure wider publicity because their level was higher; it was rather because their subject-matter was, in itself, calculated to arrest the attention of a non-technical audience.

In our own day the character of the discussions has changed. The details of industrial reorganisation, the principles of currency reform, the method of unemployment insurance, the schedules for grants-in-aid of

housing, hardly lend themselves at all to the orator's devices. Behind each of them, if they are to be understood, lies a body of specialist knowledge which is not available to the ordinary man, who shrinks from the effort involved in acquiring a specialism. Whenever a typical nineteenth-century topic is under discussion in a body like the House of Commons, responsible government in India, the Prayer Book of the Established Church, the limit of police powers over private citizens, the legal recognition of gambling, the public interest is probably greater, and not less, than it was in the Victorian age. But it is surely futile to expect that a body of technical issues can be so debated by a miscellaneous assembly of amateurs as to result in public excitement. Only the clash of great principles produces widespread public attention; that is why a general or a presidential election shakes men out of their normal routine, for he is not to be envied who can view unmoved the spectacle of the transference of public power. That is why, it is worth noting also, observers have always remarked that the atmosphere of revolution is one of intense exhilaration; the stakes at issue are so immense that men cannot but be absorbed in the drama which decides their conquest. But a party which could keep public attention riveted on the details of a housing scheme would have performed nothing short of a miracle. For the inner processes of a technique are always dull to any not charged with their actual operation. It is only the result achieved which can hope to make a universal appeal.

Two other things in this context are worth remem-

bering. The dullness of the general political process is, in fact, its safety-valve; things get done in the state because most men are not prepared to be excited about them. Every government depends for its normal routine upon the inertia of the multitude. If every question aroused passionate controversy, the politician would have no time to operate the engines of state. That is why no legislature can sit all the year round; without a period in which response to criticism was unnecessary the modern statesman would be dead in a twelvemonth. That is why, also, exciting governments are usually short-lived governments; men cannot be for ever remaking foundations without catastrophe. It is the Lord Liverpools of this life who rule for fifteen years. To carry out any plan of comprehensive reconstruction involves, given the limits of human nature, either the atmosphere of dictatorship, where opposition is forcibly at a minimum, or a long period of time in which the critics can be satisfied and established expectations trained to the slow acceptance of the disappointments involved. The very nature of a political democracy precludes the possibility of action that is at once swift and comprehensive. The area of interests to be consulted is too great, the risks of technical error too manifold, the possibility of defeat upon the irrelevant issue too large, the dread of novelty too intense for the maintenance of unity to be possible in an area of profound transition.

The second factor is the intellectual condition of the democracy itself. Decision in politics requires the trained mind, and our system of education limits its

possession to a small fraction of the citizen body. The reason is a simple one. Education is expensive, and in a capitalist democracy more is unlikely to be spent on it than is necessary for its maintenance as a going concern. To educate the masses so that they can, in any large numbers, enter into possession of the intellectual heritage of civilisation is, in the traditional phrase, to educate them beyond their station. This is not all. The higher the general level of training in a capitalist democracy the more difficult it is to maintain the classic division between rich and poor. For a highly trained proletariat will never be long content to remain a proletariat. If it has the keys of knowledge in its hands, it will attack the system which maintains inequality without principle. All régimes built upon inequality draw their strength from the ignorance of the multitude, and all such régimes seek to make their methods of education such as are least likely to injure their own foundations. The sense that knowledge is either urgent or possible is rare enough; and so long as ascent to it is possible, the masses will rarely have sufficient scepticism of the order under which they live to inquire into the steepness of the ascent. An educational system which, in most Western countries, ends at the age of fourteen is an insurance for capitalism against inconvenient attack.

This can, I think, be best seen by considering briefly the habits of the Press in different countries. As everyone knows, it has become, with rare exceptions, a department of big business, and it is deliberately organised, like the other industrial institutions of a capitalist

society, upon the basis of the profit-making motive. That means the necessity of fulfilling two conditions. The newspaper to-day must largely live by advertising, and it cannot secure advertisements by undermining the system on whose habits the advertisers depend. Nor can it hope, from a semi-literate population, to secure any great mass of readers, if it devote itself to an impartial presentation of social truth. Its business is such a presentation of news under the conditions most likely to maximise the profit upon the investment it represents. The greatest of modern newspaper proprietors has told us frankly how low is politics in the list of such news.<sup>1</sup> And its interpretation is, of course, adapted to the public it believes itself to serve. No one would go to the Beaverbrook Press for a truthful account of the British trade position. The distortion of Russian news by the *New York Times* has been the subject of a careful analysis.<sup>2</sup> The *Temps* and the *Journal des Débats* have recently been bought by the Comité des Forges, or its subsidiary organisations, and no one supposes that their object in those purchases was, say, an impartial treatment of socialism or disarmament. The power to weight news in a particular direction is the power to prevent that material from reaching the public upon which rational judgments may be based. Anyone who compares the treatment of disarmament in the British Press in the first phase of the Geneva Conference of 1932 with the importance allotted to the

<sup>1</sup> Lord Northcliffe, *Newspapers and the Public* (1920).

<sup>2</sup> W. Lippmann and Charles Merz in the *New Republic*, August 4, 1920.

sexual behaviour of an Anglican rector in the same period will not find it difficult to discover how public opinion is made in a capitalist democracy.

No doubt there are compensations. No Press can ever get itself accepted at its face value. Its misinterpretations tend always to have a short-term incidence. Experience itself is a safeguard against their tenour. The trade unionist who reads that the miners are misled by Russian-paid agitators is inoculated against that virus in innumerable ways. The voter may accept the the Zinoviev letter in 1924; he does not believe it in 1929. He may be led to believe that a National Government will bind up his wounds in 1931; but his neighbour, who has suffered the Means Test, disillusion him six months later. There is an astringent power in the facts of experience which propaganda is powerless to destroy.

Yet, when all is said and done, the position of the electorate remains highly unsatisfactory. There is a vital truth in Rousseau's taunt that it is free only at election-time, and that freedom is but the prelude to a new domination. It cannot choose the representatives it wants; it can only strike blindly against those at whom it feels a passing indignation. Its will is largely meaningless—even where it has a will—save as it can find expression through the programme of parties. That is always a very gradual process in matters of important concern; for so clumsy an instrument as a party is not going to pin its faith to serious experiment until it is certain that it will be well received. That has been remarkably displayed in recent years in the



struggle for disarmament. No party in the state would dare to refuse it lip-service; but at Geneva, in 1932, the electorate was helpless before a government decision which denied even the prospect of its successful accomplishment. As the history of new parties has pretty clearly shown, one cannot improvise a campaign against the defects of the old. The organisation, the funds, the education, the energy required have to be built up by long and arduous effort. And even when that result has been attained, there is always the danger that a shift in the horizon may deprive the new instrument of its effective striking power. Time and again the farmers of the United States have had to begin afresh the task of giving their interests a special and resolute expression.

A democracy, in a word, must be led, and in a capitalist democracy the main weapons of leadership are in the hands of capitalists. Its opponents are always on the defensive unless they confine their antagonism to the minutiae of the régime. If they seek to assault its foundations, they confront the difficulties, first, of the terrible price that has always to be paid for fundamental change—a price which invariably includes the defection of some part of their trusted leaders—and second that, so long as the outward fabric appears unchallenged, the inertia of the multitude is on its side. The case for capitalism is not its result in either efficiency or justice; the case for capitalism lies in the fact that, save for the as yet unproven experiment of Russia, the socialist case has not yet been translated into any large-scale action. Men fear the unknown

where they are not intensely organised to try it; or driven thereto by the breakdown of the system to which they are accustomed, they cling as long as they can to their wonted routines. A capitalist democracy will not allow its electorate to stumble into socialism by the accident of a verdict at the polls. It is only when that will for basic change is made inescapably known that assault upon the foundations will become possible; and the possessors of economic authority will not deem the revelation to have occurred until every prospect has vanished of their retaining power. For a new order only becomes acceptable to the multitude when it is apparent that the will of the old has been definitively broken. It took ten years to persuade the world that the Soviet system had the ordinary marks of political stability, and even yet, on the international side, the persuasion is by no means complete.

## II

The thesis is universally admitted that the legislatures of the modern state are in an unsatisfactory condition; it is, indeed, some of the stoutest defenders of the parliamentary system who demand their reconstruction. They are so overwhelmed with work that they have no time for the adequate discussion of any single legislative project. They are so driven by the pressure of party control that the private member has, for the most part, been reduced to the status of a voting machine. They have lost all direct initiative, especially in the realms of finance and foreign affairs; the United

States apart, where the fixed legislative period makes for anarchy in the effort to attain a unified political direction, they must either act as the organ of formal registration for the executive, or submit to the hazards of a new general election. They work with irritating slowness; there has rarely been a government in office which has been able to complete its proposed programme before either the session or its term of office expired. Their submission every four years or so to the renewal of their mandate means either a preoccupation with the need for re-election—which usually means an excessive devotion to measures of merely immediate interest—or that the whims of the electorate prevent any government staying in office long enough to carry out the measures of a really ample reconstruction.

But this is not, by any means, the whole indictment. If the government in office has a big majority, the opposition is thereby condemned to several years of futile sterility. If the government is in a minority, it is unable to act with either decision or clarity; it is always tempted, and usually succumbs to the temptation, to introduce not the measures in which it believes, but those which maximise its chance of staying in office. If the government is a coalition of parties, the necessity of sinking differences in order to attain the appearance of unity breeds a dishonesty of temper, an accommodation in principle, which saps the moral character of the parliamentary system. There can have been few governments more void of any real moral foundation than the coalitions of 1918 and 1931 in England; and successive French governments since the war have

shown how the absence of any clear majority for some definite political purpose stultifies the prospect of a clear direction in affairs.

The opponents of the parliamentary régime often exhaust themselves in ironic attack on the personnel of legislative assemblies. They are, it is said, mostly little men, with no special competence for their task. In England, the Tory Party has a weakness for the young aristocrat, the *rentier*, the retired business man; the Labour Party specialises, especially in the mining districts, in the superannuated trade union official. In America, the congressman tends to be a small-town lawyer of no particular distinction. Democratic processes of election, the critics argue, multiply the chances that the mediocrity will emerge.

The criticism seems to me wholly misconceived. I know of no tests for parliamentary competence which are capable of practical application, and I know no reason to suppose that the level of parliamentary personnel has anywhere declined. A Parliament is not a collection of distinguished experts; if it were, it would be even more unsuccessful in its performances than it is. For because a man is eminent in business, or engineering, or economics, or medicine, that is no ground for believing that his eminence is relevant to the peculiar tasks of a Parliament. Because a man can successfully build a bridge, or penetrate the mysteries of the atom, or direct a great enterprise, that does not mean that he thereby offers proof of his talent for the art of statesmanship. That art, in its essence, seems to consist of four things. It involves a knowledge of how to handle

men, an ability to see the issues which need handling, a judgment upon their priority in importance, and the power and the courage to carry their proposed solutions to a successful issue. A legislative assembly is neither a collection of specialists nor a body of statesmen. It is an average sample of ordinary men, deflected now this way, now that, by the drift of public opinion, and organised by its leaders to accept a policy which those leaders regard as desirable.

From this angle, the problem of the legislative assembly really raises the question of whether it is suitably organised for the end it has in view. We have to remember that the substantial outlines of its procedure date from a period when the main tasks of the state were both few in number and negative in character. It was suspicious of too much government, and it developed forms of which the true purpose was to prevent a majority from overriding too roughly its opponents. Hence, for example, its amplitude of debate; hence also that ministerial power to make any question at will, no matter how insignificant, a question of confidence; hence also the assumption that obstruction takes place, not for tactical reasons, but on grounds of high principle; hence also the resentment of an assembly when steps are taken to curb either its initiative or its freedom of discussion. Certain things, we ought to note, a Parliament still does better than any alternative institution so far devised. It is, on the whole, an admirable judge of character; on this head it would be difficult to overpraise the ability of the House of Commons, for example, to distinguish between true

and false in personality. It is, further, an excellent vehicle for the expression of grievance; anyone who examines a debate like that, for instance, upon the conduct of the police in the Savidge case,<sup>1</sup> will find it difficult to believe that a better instrument for this end could be devised. It is also, in general, invaluable for the purpose of a wide discussion of large principles; one has the general certainty that, in such a debate, all that can be said both for or against the measure will be said. And it must not be forgotten that the significance of the assembly, as the place where the great decisions of state are registered, gives to its discussions a publicity which is usually certain to lead to exhaustive discussion outside its precincts. It avoids the primary vice of a dictatorship which is action without prior criticism of the proposals involved.

But this is not to say that a Parliament can effectively perform other tasks upon which it is tempted to engage. It is not a paradox to argue that a legislative assembly is unfitted by its very nature directly to legislate. For the miscellaneous body of persons it is bound to be is too numerous and too incoherent to do other than accept or reject proposals offered to it by the executive power. That is why, in the positive state, the initiative in affairs has passed increasingly to the cabinet; and the experience of the American Congress, where this tendency is at its minimum, is only a proof of its desirability. Indeed, the more fully the modern Parliament can be freed from the necessity of scrutinising narrowly the specific details of legislation, the more adequate

<sup>1</sup> *House of Commons Debates*, Fifth Series, Vol. 217, cols. 1303-9.

is likely to be the performance of the functions for which it is, in fact, suited. Five or six hundred people can discuss, under suitable forms, the question of whether it is desirable to nationalise the ownership of land; they will not helpfully discuss the exact details of the process by which nationalisation is accomplished. The technical requirements of the consultation upon which such schemes must be based are not, either as to persons or information, at the disposal of a legislative assembly. That is why delegated legislation is so much more successful in its operation than legislation where the Parliament seeks itself to formulate each item of a proposed measure. The latter method means delay, inflexibility, incoherence, the lack of considered co-ordination. The sooner the function of Parliaments, in all legislative matters, is confined to discussion of general principles, the more satisfactory will be the legislative process. They cannot hope, from their very nature, to be more than organs of critical registration. Those who pin their faith to the revival of the intensity of the classic parliamentary control wholly mistake the inherent requirements of the modern state.<sup>1</sup>

But even if we supposed a Parliament which could adapt itself in a full sense to the necessary instrumentalities of delegated legislation, grave problems would still remain. So long as the parties to the political equation do not differ seriously about its terms, the device of alternating government and opposition does not matter very seriously since the ultimate unity presupposes the

<sup>1</sup> On the other side Mr. Ramsay Muir has presented the case for the classic system. See his *How Britain is Governed* (1930).

necessary continuity of policy on all matters of essential concern. A party which has been in opposition can, when it comes again to office, take up the threads of its activity more or less where it left them on the previous occasion. It does not need to engage in drastic reconstruction of the measures passed by its predecessor because these will have left unchanged the fundamental contours of the state. It can be prepared to accept the risks of the next election because it knows that, in due process of time, it is certain of office again. It is impossible to overestimate the degree to which the success of parliamentary government is built upon these simple inferences from its basic principle.

But we are bound to ask ourselves whether these inferences are justified when the common ground between parties is narrowed so as to exclude that area upon which the whole character of the system has previously depended. A Conservative Party which accepts the profit-making motive as the groundwork of capitalist democracy has little spiritual relation with a Labour Party which seeks the abrogation of that motive in order to transform a capitalist into an egalitarian democracy. The rules of the game surely become different under these conditions. A Labour Government which meant what it says, and had the power to give it statutory force, could not, at least easily, see its measures repealed by a Conservative successor; and it is at least dubious whether the latter could be prepared to acquiesce in the denial of the law of its own being. The dislocation inherent in repeal is obviously momentous; if the measures stand, their consequence, within



some such period as a generation, is the erosion of capitalist democracy by its own consent.

This second possibility need not be overlooked. Of it I would only venture the remark that it is in direct contradiction to the previous history of all other social systems, and that it presupposes a respect for constitutionalism in a possessing class about which scepticism is at least permissible. It took a war to dispossess the slave-owners of the Southern States in America; Ulster threatened civil war when Parliament proposed its absorption in a self-governing Ireland, and Great Britain gave way before the threat. On experience, are the accepted conventions of the Constitution, in any country, more than the agreements men are prepared to maintain because on essential things they are wholly at one? Is it always the case that men prefer peace when fighting may give victory to their most profound convictions? Can we expect such peace in France, for instance, where every political régime has ended amid the shock of disorder? Or in America, where every great industrial conflict has seriously strained the technique of law? Or in Germany, the land of traditional obedience, where every big system of principles now seems to have its private army at its command?

There are many observers prepared to admit these ugly prospects who nevertheless deny their relevance to the British situation. Great Britain, they argue, is the classic home of compromise. Ever since 1688 we have known, the dynastic question apart, how to resolve our differences without bloodshed. Once or

twice there may have been danger of serious and open conflict; in the end terms of satisfactory accommodation have always been found. Even Marx, we are reminded, was inclined to exempt Great Britain from his prophecy of universal revolution. There, at least, the instinct for law and order is so ingrained that a determined will to socialism on the part of the majority is certain to secure the acquiescence, however regretful, of their opponents. Can anyone imagine men of Mr. Baldwin's pacific disposition deliberately abandoning the ways of peace?

The argument is tempting; it does not, however, merit acceptance because it is hopeful. Mr. Baldwin is not the only representative of the capitalist class; one may even venture to doubt whether his instinct for generous moderation is wholly typical of it. We have to ignore persons, and to remember the conditions in which the problem is set. If Labour attains an electoral majority and thus dominates the House of Commons, will capitalism meekly abdicate before its onset? Pretty clearly, a Labour Government, if it meant business, would have to take emergency powers to deal with any financial or industrial sabotage. If the present unreformed House of Lords is still in existence, it would have to possess, as the condition of taking office, the necessary powers to deal immediately with any opposition from that chamber; and the possession of those powers would necessarily mean the end of any assembly which could interfere with the will of the Socialist House of Commons. If the Lords had already been reformed by the present (1932) National Government, the problem would be even more difficult; for such a chamber

would, in the enthusiasm of its newly revised authority, ask for proof by general election that the socialist programme had behind it the deliberate will of the electorate. But no determined party will submit to hindrances upon the exercise of its will to which its rival is not subject. Even in the pre-war days the habits of the House of Lords could rouse passion over comparatively minor matters.

In all this, of a certainty, there is matter enough for civil disruption, for nothing tests tempers so much as the putting of ultimate principles to the proof. Let anyone consider for a moment the mood in which crises like that of Ulster or the General Strike were approached by men such as the late Lord Birkenhead or Mr. Winston Churchill, and he will find it difficult to insist upon the certainty of peace. And nothing is gained, it should be emphasised, by insisting, as some writers do, upon the fact that the avowed proponents of catastrophe are few, and that the nature of the crisis in capitalist democracy draws the leaders of all parties together in agreement upon a uniform remedy for its problems.<sup>1</sup> The crisis, undoubtedly, has drawn together the leaders who accept the foundations of capitalist democracy. It has made them agree that heroic action must somehow be attempted if the defects in its structure are to be repaired. They call loudly for common sacrifice and a united effort. But they do not mean by these things the transfer of economic power from its present owners to the community. They do not suggest the abrogation

<sup>1</sup> See a curious letter from Lord Allen of Hurtwood in *The Times*, August 8, 1932.

of the profit-making motive as the basis of social organisation. It is unnecessary to doubt their sincerity to suggest that neither the sacrifice nor the effort they invoke has the same content as the sacrifice and the effort involved in the socialist policy. Similar terminology conceals a wholly different objective and a wholly dissimilar psychology.

I believe, therefore, that the attainment of power by the Labour Party in the normal electoral fashion must result in a radical transformation of parliamentary government. Such an administration could not, if it sought to be effective, accept the present forms of its procedure. It would have to take vast powers, and legislate under them by ordinance and decree; it would have to suspend the classic formulae of normal opposition. If its policy met with peaceful acceptance, the continuance of parliamentary government would depend upon its possession of guarantees from the Conservative Party that its work of transformation would not be disrupted by repeal in the event of its defeat at the polls. Could such guarantees be given? Would they be implemented if they were? I do not know. I suggest that their exaction is inevitable as part of the price of peace when such great issues are in dispute. And it is obvious that the natural history of a legislative assembly under such conditions would be quite different from anything we have previously known.

There are two other possibilities in British politics, alternative to that which I have just considered, upon which a word may be said. A Labour Government

may take office and embark upon its policy; but it may be met with resistance, either tacit or overt, which strikes at the root of its purposes. Under such conditions the suspension of the Constitution is inevitable. That government would then have to rule by a Defence of the Realm Act, which made it as certain as things can be in human affairs that its will would prevail. In these circumstances it appears inevitable that the resultant exacerbation of temper would produce the normal revolutionary situation, and men would rapidly group themselves for civil war. Where, in this position, the Fort Sumter is likely to be found, it is, of course, impossible to predict. What is alone clear is the fact of its existence, and the certainty that, once it is occupied, men must move to its assault.

The other possibility seems to me, in the next phase of British development, much the most likely event. The announcement of a Labour victory at the polls is likely to be swiftly followed by a flight of capital from the consequences of its measures. A Conservative Government will still be in office, in possession, therefore, of the prerogatives of the Crown. Anyone who observed with care the conduct of the war crisis of 1914 and the financial crisis of 1931 will be tempted to forecast an analogous course of events. The leader of the opposition will be summoned to conference; it will be represented to him that the policy he proposes to sponsor represents a grave threat to the stability of the state. He will be impressed with the duty to follow a pacific line of conduct and informed that, on these terms, but upon these terms only, he can count upon

the support, perhaps by way of a national administration, of his opponents for the solution of the crisis. If he accepts, the danger of a socialist administration is postponed.

But I do not think he will accept, since, in the light of 1931, such an action would at least seriously divide, and possibly destroy, his party. His refusal would then leave the old Prime Minister still formally in possession of authority. He would not summon the new Parliament, in which he would be certain to suffer defeat. For as long a period as possible he would govern by emergency decree, and he would probably advise the dissolution of the newly elected Parliament in the belief that the panic induced by the crisis would evoke a different verdict from the electorate. But if a socialist majority was still returned, I believe that the psychological atmosphere would compel, whoever took power, the suspension of the parliamentary system. For, under conditions such as these, there would be no convention of the Constitution still in practical operation; the neutrality of the monarchy could no longer be guaranteed; the financial position would be more, and not less, disturbed than in the first period of crisis. And if the Conservatives were, in a panic, to win the second election, nothing would convince the Labour Party that the conventions of the Constitution were not simply a trick to be used against them whenever they crossed the threshold of electoral victory. It is impossible to believe that, in these circumstances, the forms of parliamentary democracy would continue to be respected.

Englishmen do not like to discuss first principles, especially when their contingent implications are unpleasant; and an analysis such as this moves in a realm from which they are always tempted to withdraw. But is there any adequate reason to deny that it is a possible forecast of events? Two years of minority government, with the Labour administration attempting no serious innovations, produced remarkable constitutional adaptations to suit the terms of the attack upon its power. Nothing is called for here save the willingness of the Crown to act upon the advice of its ministers; and it would be simple to argue that an emergency of the first magnitude necessarily begets extraordinary advice. Indeed, one can almost see the terms of enthusiastic eulogy in which the Press would describe the supreme flexibility of the British Constitution. The time-honoured doctrine of collective cabinet responsibility disappeared overnight when no serious emergency was confronted. It is the beauty of the prerogative in the British system that its exact limits are incapable of precise description; and those who felt that a Labour majority was a threat to the safety of the realm would feel that such an exercise as I have described of its power was justified by the dangers it was called to meet.

The alternative, for the Crown, is, after all, a grave one. The Conservative Government is still in being; it is upon its advice that the King must act. For him to refuse its advice when a summons to its opponents means embarkation upon an uncharted ocean would be a dangerous adventure. Those who luxuriate in

precedents would have no difficulty in explaining that the revival of royal authority was amply constitutional. Conservatives could remember that in the far lesser crisis of Ulster they advised the Crown to revive its ancient prerogative of refusing assent to a measure.<sup>1</sup> The very absence of an automatic character in the habits of the Crown enables them to be stretched to suit critical occasions, and a Labour Party confronted by the results of such elasticity would have no means of constitutional redress in its hands.

That is why I conclude that the weakness of the legislative assembly corresponds to a weakness in the bases of the parliamentary system. Its defects are, ultimately, moral rather than technical in character. It is not difficult to indicate reforms in its procedure which would adapt it amply to the new atmosphere in which it has to function. It could be made to work, as an assembly, both rapidly and efficiently. But no such reforms would solve the essential question of whether, however rapid and efficient its operation, its results would prove acceptable. It is not a paradox to say that the centre of gravity in the legislative assembly is outside itself. It can only function if men are prepared to abide by the results of its functioning. For the strength of law lies not in those who formally make it, but in the support brought to it by those over whom it rules. And it is exactly this that is in question. We have lost the Victorian confidence in the power of law to get itself obeyed because of the respect which attaches to

<sup>1</sup> Cf. Asquith and Spender, *The Life of Lord Oxford*, Vol. II, Chap. XXX.



the source from which it comes. The decay of Parliament is not due to inherent defects in its own structure. It is due to the erosion of the foundations upon which that structure rests.

### III

In recent years, as I have pointed out, the most obvious change in the appearance of the parliamentary system has been the transference of the primary initiative in legislation from the legislative assembly to the cabinet. That transference, as I have argued, is both necessary and desirable; no assembly so large or so miscellaneous as a Parliament could direct a stream of continuous and coherent tendency through affairs. So long as the legislature of the positive state is in a position to ventilate grievance and to discuss effectively the large principles of measures, so long, of course, also, as respect is paid to its attitude, there is no reason to suppose that the development is not a healthy one.

Upon the condition, it need hardly be said, that the cabinet itself is in a position properly to fulfil its tasks. And it is precisely here that doubts must begin to arise. The modern cabinet is overwhelmed by the pressure of its business in much the same way as the legislative assembly. To anyone who has watched it from near at hand, it is like nothing so much as a collection of well-intentioned amateurs striving to keep pace with a mass of business, the amount of which is increasingly beyond their control. Everyone knows the famous

passage<sup>1</sup> in which, nearly a century ago, Peel described the impossible burden which rested upon the Prime Minister. That burden has multiplied several times since he wrote; and there is hardly one of his more important colleagues who is not in a similar position. And in a system like that of the United States, where the President is not one with, but the master of, his cabinet, the true source of its decisions, the burden is definitely greater than a single man can be asked to bear.

For consider the tasks which fall upon an important minister in the modern state. He has his own departmental business to get through. He has to make himself acquainted with at least the outlines of the bigger issues before the cabinet. He has to pay all necessary attention to the legislative assembly, and, as a result, to be present often enough to vote in its essential divisions. Now that foreign affairs have ceased to be the concern of a single minister, he must expect to be a participant in international conferences. He must make party speeches, realising that, from the position he occupies, every word he says will be narrowly scrutinised. Ceremonial functions, also, will take up hours of precious time. And in such leisure as is left him he has to find the opportunity not only to satisfy some, at least, of the demands of domestic affection, but also to think, in that ultimate isolation in which all first-rate ideas are born, about the events and policies whose destinies he is called upon to shape.

<sup>1</sup> Parker, *Life of Sir R. Peel*, Vol. III, p. 219; and cf. Rosebery, *Peel*, for a confirmation by a later Prime Minister.

Now if all this were, as in the Victorian period it largely was, mainly a series of negative problems, the cabinet minister might hope to deal with them effectively. In fact, they are most positive in character; and to solve them he needs a precision of information and a soberness of judgment, both as to men and material, which are not easy of access. For the first, generally speaking, he must rely upon his officials; for the second, in the end, he can rely only upon himself. But, in the first, the reliance is rarely quantitative in character. He cannot trust the materials upon which he has to build, for instance, a judgment upon the communal question in India in the same way as he can trust statistical information about the cost of building a road. As soon as he moves from the simplicity of non-human fact to the ground where he has to discover, not the conclusions themselves of the official upon whom he is asked to rely, but what Mr. Justice Holmes has called the "inarticulate major premiss" which guided the official to his conclusion, he has to perform intellectual operations of the first order of magnitude. And he has to perform them, it must be remembered, in the background of his own only half-conscious assumptions which will colour his own approach to the official conclusions he has to judge.

He is doing this, it must be remembered, in an atmosphere in which every major decision may well lead to momentous results. An electorate, whose confidence in him is notoriously unstable, may easily hurl him from power if he makes a grave mistake. He may antagonise powerful vested interests. He may find that

he has to surrender the thing in which he believes for the thing that is possible, and in which he does not believe. Opposition to his plans may develop from the most unexpected quarters. His desire to ease by a higher pension the old age of poor citizens may be defeated by a Chancellor of the Exchequer who wants the triumph of a reduced income-tax. His anxiety to increase the school-leaving age may go down before the religious prejudices of a Roman Catholic colleague who places the interests of his Church before those of the nation. His desire to reorganise the iron and steel trade—for which he believes that he has a satisfactory plan—may come to nothing because the existing owners will not surrender their vested interests even before the inviting prospect in which he has brought himself to believe. His confidence that he can safely propose the abolition of battleships may crumble before the unwillingness of his colleagues to face the threatened resignation of the Board of Admiralty. His insistence that a citizen is entitled to spend his Sunday as he pleases may recoil before the revelation that the House of Commons is trembling at the indignation of violently unreasonable Sabbatarians.

These are the imponderables he is called upon to weigh, and he has not even the certainty that first things will come first. The legislative assembly has a limited time-table; the cabinet cannot sit every day. The things which seem so important to him, the plan he so ardently cherishes, seem unimportant to his colleagues, or unwise; or they may seem vitally important, but another minister has got the pledge of time before

he was ready with his completed plan of action. Anyone who has watched a cabinet at work will be struck, I think, at the little, trifling, often irrelevant things which decide its scheme of priorities and its manner of handling them. One suspects, for example, that the Palestine policy of Mr. MacDonald's second administration, which aroused the indignation of Jews all over the world, was not due, as they asserted, either to anti-Semitism in its author, or an excessive concern for Great Britain's Moslem interests, but to the much simpler fact that a tired and overworked cabinet did not realise (largely because it had not read) the significance of the document submitted for its approval. It is clear that Mr. Lansing, while Secretary of State, never had access at all to President Wilson's mind; and I remember an ironic observation of M. Briand at Geneva, when, in comparing the party-system in England with the group-system in France, he said that the day on which a French Prime Minister takes office is the day upon which one, at least, of his colleagues begins to prepare his downfall.

When, therefore, one tries to answer the question of what function the cabinet performs, one is tempted to analogise Siéyès's famous reply and to say that it is sufficient if it has survived the problems it seeks to solve. But when one penetrates beneath the surface, the only answer that seems to embody the actual facts is that the cabinet is the expression of the greatest common measure of estimated and attainable agreement among the interests it represents. It is the executive committee of those interests; and it acts, not as the factual con-

ditions of its problems would lead the impartial spectator to act, but as those conditions, and the vested interests which govern their control, make action seem possible to its members. If, in a word, the modern Parliament is the prisoner of the cabinet, the cabinet, far more completely, is the agent of the vested interests it serves. No doubt it serves those interests in the more or less ample conviction that this is the best way to serve the community. No doubt, also, that service is limited by the fact that, as a general rule, those interests must make no demand which jeopardises the continued existence of the cabinet. No doubt, again, the risks of action are always great enough to make a policy of masterly inactivity universally acceptable as the main path of safety; it was not necessary for Burke to elevate to the rank of a maxim the rule that prudence is the first of the political virtues, for it is also the most common. No cabinet will ever forget that it is the trustee of the party which supports it, and that the object of party is office; and no party, in its turn, but ceaselessly remembers the need to care for the interests by which it is maintained lest they slip away effortlessly to the support of its rivals.

All of which is to say that in a capitalist democracy the habits of a cabinet are governed by two major considerations. In normal times, at any rate, there is freedom of movement within the accepted limits of capitalist assumptions; if these are denied, the conventions upon which the whole fabric rests are called into question. A Liberal cabinet, as in 1906, will try to satisfy its Nonconformist supporters upon the education

question; a Republican administration will confer greater benefits upon the American industrialist than its average Democratic rival; a Tardieu cabinet will be more responsive than one headed by M. Herriot to the blandishments of the Armaments Trust; the von Papen Government will think first of the well-being of the Prussian landowner. But no cabinet can take office in a capitalist democracy and deny the law of that democracy's being. The Labour Government of 1929 did not introduce non-socialist measures because it had ceased to believe in socialism; it introduced them because, had it done otherwise, it would have ceased to be a government.

A Labour cabinet's position is, of course, different from that of its rivals. They act within the assumptions of a capitalist régime because, on principle, they accept them. They preserve its essential motivation, the reliance on profit-making, because that reliance seems to them the secret of social well-being. What would be the position of a Labour Government which commanded a majority in the legislative assembly? I have already answered this question. Its authority, I have argued, would be a function neither of the goodness of its intentions nor the level of its efficiencies. Its schemes might be well conceived in principle and admirable in detail. Their reception by their supporters in Parliament might be enthusiastic. But their passage, in any but the most formal sense, would depend upon that cabinet's power to get its will obeyed outside the realm of formality. The Liberal government before the war, let us remember, was able to carry Irish Home Rule

to the statute-book, but it shrank from the price that had to be paid for giving its measure full operation.<sup>1</sup> A will to pay that price, and a power to exact it, are the necessary conditions upon which the cabinet system depends; and those conditions are both something more and less than the excellence of the purpose the cabinet is seeking to realise.

#### IV

The great change in the technique of the modern state in the last half-century has been the improvement in the quality of its administration. The change, indeed, in the character of the men chosen to staff the civil services of states like Great Britain, Germany, and France, to take only the outstanding examples, is remarkable. Most of the old and vicious system of patronage has gone; merit is the basis of admission to the service, and, granted the weaknesses of human nature, it may be said also to be easily the predominant motive in promotion. In the main, also, the tradition of the civil service has been one of neutrality. It has served whatever government has been in office with equal fidelity. And, as I have already pointed out, its devotion to its functions has been in a large degree responsible for the development of the positive state. The reports of British departments like the Ministry of Health, the Board of Education, and of those Royal

<sup>1</sup> For the very revealing history of this measure, see the important documents in Mr. Dennis Gwynne's biography of John Redmond (1932) and in Mr. Asquith and Mr. Spender's *Life of Lord Oxford*.



Commissions which have owed so much of their quality to the zeal and ability of their unknown secretaries, have been a large factor in convincing the public mind that the development of the positive state was inevitable. To a very considerable extent that body of facts which ended the régime of *laissez-faire* was the discovery of the civil service.

It has followed quite logically from the growth of governmental functions that the civil service should have accreted to itself continually greater power in the state. The fact that the highest officials are permanent; the knowledge they inevitably acquire from daily familiarity with their problems; the necessary dependence upon them of any minister for the material which gives flesh and blood to his half-formulated principles; his inescapable reliance upon them for the measurement of ideal against fact—all this means their attainment of a position of authority different from that which any previous age has known. The minister cannot afford to make blunders; his officials maximise his safeguards against them. He is anxious to make his period of office a success; a large part of his ideas will be born of their specialised experience. Anyone who considers the labours involved in applying a great social experiment like, for instance, unemployment insurance or the making of a great road-policy, will easily understand why the civil servant has been aptly defined as the man who has exchanged dignity for power. The exigencies of the political system throw the fierce light of publicity on Westminster, but the main character of its activities is determined in White-

hall. They who have in their hands the execution of measures are, in reality, their masters.<sup>1</sup>

Any discussion of the relation of the official to a capitalist democracy in a period of transition like our own has two aspects, the civilian and the military. The problems of the first are of great psychological interest. Any civil service tends to reflect within itself the social habits of the system it administers. It can grow its men like Sir Robert Morant, the great official who, with his hands upon a big machine, is above all concerned for its maximum operation. It can grow, on the diplomatic side, men like Holstein, who accrete to themselves the power to make public policy the expression of private malevolence.<sup>2</sup> Every department, moreover, will tend to have its own habits and its own traditions; and an able official, even a distinguished minister, will not find it easy to make his way in the department if he pursues a policy which denies their validity. One has only to remember the power of the British Admiralty to absorb its First Lords, the continuity of policy in the Foreign Office of France, the brilliant way in which the British Treasury teaches successive Chancellors of the Exchequer to speak with its very accents, to realise that this is the case. No department is ever a soulless automaton waiting for the imprint of ministerial mind in order to develop a character of its own.

<sup>1</sup> There are some interesting observations on the relation between the official and the politician in Sir Henry Taylor's *The Statesman* (1836)—a brilliant, if neglected, book.

<sup>2</sup> See G. P. Gooch, *Studies in History* (1931), for a remarkable picture of this ugly personage.

For no really able man—and the system makes most heads of departments really able men—can handle matters of high policy without bringing to their determination a mind of his own. And where the minister differs from his outlook, the official will fight for his own point of view. He will put his own case in the best possible colours; he will emphasise all the difficulties which threaten the ministerial plan. He must be a strong minister indeed who does not yield to pressure such as this, particularly in realms where either his own views are only half-developed, or he cannot claim any special competence. If one tries, for example, to think of a Chancellor of the Exchequer who vaguely felt that some big expansion of credit was desirable, it is not difficult to imagine that the experts of the Treasury would give him an uncomfortable time; and the very deference and charm with which their case was put would only make his own persistence the more difficult. For no one who knows the tradition of the civil service, above all in England, can doubt that the main motive of the officials in making the case would be to save their chief from disaster. Or let us suppose a Minister who feels the need, on grounds of justice, drastically to revise the land-settlement in Kenya. His proposals gravely disturb the vested interests of the white settlers who are in a belligerent temper. The Minister urges that the natives have been unjustifiably exploited; land which was undeniably theirs has been granted away. The officials agree in principle. But they point out that the white settlers are in an ugly mood, and that an attempt to interfere with their

established expectations will almost certainly be resisted by force. Some settlers may be killed, and the Minister will have to answer in the House of Commons to an angry public opinion which does not weigh equally the rights of illiterate black men against the lives of its own kith and kin. It would not, surely, be remarkable if the Minister decided, in the circumstances, that too high a price could be paid for considerations of abstract justice.

Anyone who visualises a socialist government in office must pay serious attention to the implications of this picture. He must realise that its proposals are a definite break with tradition. He must understand that its Ministers are likely to arrive in office, not with a complete body of specific plans, but with some general principles which the departments will be asked to test against the facts before they are given the share of a concrete measure. The inevitable tendency of the departments will be, for the Minister's own sake, to minimise the break with tradition. They will know, in all its fullness, the strength of the vested interests he proposes to attack. They will make him almost too painfully aware of the risks to which he exposes himself. They will be passionately and laudably anxious to save him from failure. Unless they share his own outlook—and this is unlikely enough—they will want time where he demands speed, the attack on the narrow front, where his instruction is for comprehensiveness. The very point, in short, where his reliance for action must be placed is the point at which emphasis will develop for delay.

I am anxious to stress my own view that this attitude in the civil service is wholly compatible with its tradition of neutrality. Not only so, in large measure it arises from the professional desire for technical perfection. I have no reason to suppose that the civil servants of this country, even though they may not be socialists, would do other, in general, than serve socialist ministers with the same loyalty and devotion they give to other parties. Their sense of professional honour is too high and too deep-rooted for it to be otherwise. My point is the quite different one that where issues so grave have to be dealt with, the whole ethos of the service becomes one of criticism which looks towards delay instead of encouragement which looks towards action. The ordinary, big measure which traditional policy recognises as legitimate is one thing; but the frontal attack of socialism upon the foundations of capitalist democracy raises problems in the realm of technical administration which are definitely novel and, as definitely, disturbing. I am confident that the officials will carry out any specific instructions they are given. My difficulty is in the certainty that when policy is outlined it will lead, perfectly naturally, to the construction of a barrage of difficulties from which specific instructions in a socialist direction will not easily emerge. Could the official do otherwise when the instruction might break down in application upon just the particular difficulty he abstained from pointing out? Has he not the duty to his Minister of warning him at all points against the hazards of his adventure?

The remedy, it may be said, lies in a socialist govern-

ment knowing precisely what it wants to do and being prepared with detailed schemes for all eventualities before it takes office. A good deal, no doubt, can be done along these lines; and a party can even fortify itself with its own experts so as to proceed more rapidly against the barrage of criticism. But, when all allowance has been made for such preparedness as this, it does not really meet the pith of the problem. A socialist government, unless it desires deliberately to provoke revolution, cannot ride rough-shod over the vested interests it proposes to attack. It must test its proposals against the facts which come into its possession when it takes office; and it may have to adjust them in the light of the new circumstances, not least their possible international repercussions, thereby revealed. It has to discuss, negotiate, conciliate, that it may attain the maximum possible agreement to its plans; for solutions made by consent are usually better than those which are imposed. So soon, in fact, as the position is viewed realistically, it is clear that the process of consolidation is both long and complex. However much courage is the key to its success, courage without technical efficiency would not carry such a régime very far. And no amount of enthusiasm can improvise overnight the results which technical efficiency seeks to attain.

Even, then, if we grant the good will of the civil service, and the passive acquiescence of the governing class in the process of socialist transformation, it is obvious that the difficulties are very great. Those who attempt to break with a deeply rooted tradition may

well be said to take their lives in their hands. But there is also the possibility that the governing class will not acquiesce. A socialist government may, in the circumstances we have already considered, find itself confronted with resistance. At this point, of course, the attitude of the armed forces of the state is of fundamental importance. Can we assume their willingness to obey the orders of the constitutional authority? Can we assume it remembering the long struggle between the Army and the Third Republic in France, the relation between the Army and the Conservative Party in Ulster, the avowed preferences for the old régime of the men who have dominated the German Army since Versailles and their benevolent co-operation in the *coup d'état* of von Papen? Can we assume it, remembering the close affiliations of the officers of the American Army and Navy with practically every organisation which exists to attack socialist principles?

The practice of British socialism has been, broadly, to argue first that the problem can be met when it arises, and, second, that the tradition of this country has been the supremacy of the civil over the military power. The soldier, it is pointed out, is trained in the habits of obedience; the rank and file belong to the working classes; and the assumption must be that they will do their duty. The practice, in short, is the typical one of evading an unpleasant issue by pretending that it does not exist. It is a foolish practice; for, if the assumption is wrong, at the best confusion is certain, and, at the worst, error leads straight to some

kind of reactionary dictatorship. I do not, of course, imply that a socialist party is in a position to acquaint itself with the probable line of action to be pursued by individual members of a general staff while it is in opposition; obviously, it would not be entitled to put such questions, and, equally obviously, each officer would feel himself bound to refuse an answer to them. But a party which, in effect, is attempting a revolution by constitutional means is bound at least to consider whether in fact the means of the constitution are at its disposal in their general outline. Anything less is purblind folly.

What are those general outlines in a state like Great Britain? The officers, broadly speaking, belong to the middle and upper classes. Promotion from the ranks is still pretty rare; and there is a number of "crack" regiments with, be it added, a noble military record, whose officers are almost wholly drawn from the aristocracy. At the top of the profession almost all the affiliations of the army are with the governing class; one does not read, for instance, of trade-union leaders and their wives as guests at a regimental ball, nor does one find it an army practice to invite a socialist politician to speak at a regimental dinner. When, further, the officer who retires from the service embarks upon a political career, his spiritual home is almost invariably in the ranks of the Conservative Party. One discovers the "political" soldier, like Field-Marshal Sir Henry Wilson, who cultivates organic relations with statesmen out of office, even to the point of giving them information he was clearly bound in honour not to



reveal;<sup>1</sup> but such organic relations never develop with a socialist party save in a state where the morale of an army has been completely shattered. One discovers that statesmen as eminent and as honourable as the late Lord Milner were willing, unless Sir Henry Wilson lied, to enter into confidential intrigues with officers to persuade the latter to withhold from the government the obedience that was its due; and that Lord Milner and his colleagues were prepared, Sir Henry Wilson suggests, to exploit all the influence and prestige of the Crown for their purpose. And it is notable, not only that they were able to accomplish their design, but also that, when it was decided to form the Ulster Volunteers, there was no difficulty in obtaining the services of eminent retired soldiers to train them. Nor does it appear that more than a handful of retired officers offered themselves to assist the Irish Volunteers. And anyone who reads the history of Mr. Redmond's efforts, during the Great War, to put Irish recruiting on a proper basis, and takes note of the invincible prejudices he encountered, will find it difficult to resist the conviction that, in this contest at least, the War Office acted like a special department of the Ulster Unionist Party.<sup>2</sup>

It is, I think, a fair conclusion that the leanings of Army direction, on its non-civilian side, are in favour of things as they are; and upon the one significant occasion when its allegiance was tampered with by the

<sup>1</sup> See his *Diaries*, edited by Sir Charles Caldwell.

<sup>2</sup> Gwynne, *Life of John Redmond* (1932), and his speech in the House of Commons, October 18, 1916.

Conservative Party, its interference was successful. There are, no doubt, important considerations upon the other side. The temper of the officers as a class is far from being an index to the possible behaviour of the rank and file; if these remained loyal, the problem of material equipment would be a grave one for any who sought to organise resistance to a socialist government. Aeroplanes apart, their power of attack, if their men did not follow them, would be clearly minimal in character; and the experience of Continental revolution makes it obvious that the loss of directing personnel can always be rapidly made up so long as the main body of the troops remains faithful. There is even something to be said for assuming the fidelity of that main body, for the post-war Army is much more conscious than the old of the drift of affairs. It is, I think, a fair inference from the incidents at Invergordon in 1931 that no automatic obedience to orders is likely where any body of disciplined men are conscious of a sense of grievance. Officers who were called upon to support the state against internal attack would, at the worst, be seriously divided; and however much they were tampered with, on the Ulster model, I do not think disloyal officers could offer assurance to the assailants of socialism that their men would follow them.

This amounts to saying two things. Negatively, it means that no socialist party could seize the state by a *coup d'état* unless its machinery was in ruins; in a capitalist democracy in which the institutions are intact, and there are no grave grounds for discontent

in the armed forces of the Crown, their loyalty to the government in power is likely, from the character of their direction, to be absolute. Positively, it means that if a socialist party goes forward tenaciously with its policy after a victory at the polls, and is met with resistance, there may ensue a period of confusion owing to defections to the rebels from those forces. I think a determined and wise government could probably overcome such resistance, for its character as a majority-government would impel to its side those instincts for law and order which, even in a capitalist democracy, count for a good deal with the population. Even the history of the Ulster crisis might have been very different if the vacillations of the Asquith cabinet had not given opportunity and momentum to the forces of treason.<sup>1</sup> But no one can shut his eyes to the possibility, if resistance develops, of such confusion; and full regard would have to be paid to the fact that it would gravely impair the success of the socialist policy. For not only would it take away the whole attention of the government for some time from constructive tasks, it would also leave behind it a bitterness which would later hamper its application at every stage. Counter-revolutions leave ghosts behind them which haunt the stage of their action long after their ideals have lost their power to destroy.

If these inferences are reasonable, the obligation they imply for a socialist party is as obvious as it is impor-

<sup>1</sup> For Mr. Asquith's views on the other side, cf. *Life*, by Asquith and Spender, Vol. II, p. 22. He raises issues which intensify the difficulty I have been discussing.

tant. It becomes incumbent upon it to leave no stone unturned to acquaint the electorate with the full character of its policy and the reasons for insisting upon it. The attitude it is going to encounter is going to depend very largely upon its ability to make its plans seem acceptable before ever it takes office. The measure of its difficulties is going to be the degree in which it has failed to make them a body of established expectations. The more it tries to conceal the fact that its policy is not continuity with capitalism, but a break with it, the harder it will be in office to attack foundations. That was the real damage done to the Labour movement by the two minority socialist administrations. Apart from their other defects, they did not prepare the politically indifferent electorate for socialism. They gave it no reason to suppose that its habits and ends are different from those of any other party. They led it to believe that the Conservative follows the Socialist path, even if at a lesser pace. The things men fear are ideas and purposes to which they are not accustomed. What startles them into antagonism is being asked to receive a body of orders for which, intellectually and emotionally, they are unprepared. Every political conflict is the battle of two active minorities for the possession of the inert multitude; and not the least source of the strength of Conservatism is the fact that all the traditions are on its side. Where these are challenged, in an atmosphere of fierce attack, the disturbance of the routine almost always throws the multitude on to the side of the *status quo*. Constitutional not less than violent revolution is an art,

and the careful preparation of clear understanding of its implications is its secret. No student of the Russian Revolution but is aware that 1917 would have been impossible without 1905; no student of English history but must realise that the Puritan Rebellion made possible the bloodless triumph of 1688. The lesson of modern administration for the socialist is the obvious one that he can only hope to dominate a capitalist democracy by persuading its citizens beforehand that his rule is inevitable and legitimate.

## V

The British monarchy differs in essentials from all institutions of a similar character. Though a constitutional monarchy exists in Holland, Belgium, and the Scandinavian countries, it lacks there both the social and the imperial prestige associated with the British model. Elsewhere, the monarchical system, as in pre-war Germany, has developed fairly definite party affiliations, so that it is a matter of very real difficulty to make its habits consonant with a government of the Left. Prediction in politics is a notoriously dangerous adventure; but it does not seem beyond the mark to suggest that a socialist revival in South-Eastern Europe would almost inevitably imply republican experiments.

The British case is peculiar. The history of the monarchy since 1837 has been one of a constant growth in social prestige. What may be called the Hanoverian experiment has been abandoned, and the Crown has, little by little, exchanged power for influence. It no

longer seeks deliberately either to choose its ministers or to control its measures. Its authority is limited to the task of dignified emollience. The monarch may have his views, and press them confidentially upon his advisers; and there can be little doubt that the counsel of a skilled or experienced King will carry great weight with any judicious cabinet. But he will always give way before any united demand from his ministers. He will not refuse his assent to measures. He will not seek to exclude men from the ministry on personal grounds. The precedents even suggest that it is unlikely that he will refuse a dissolution to an insistent Prime Minister. In all cases there will, no doubt, be discussion and debate. He will be entitled to see all the relevant confidential papers at a stage where his advice can count in the formation of policy; and his position, granted, again, his skill and experience, will assure a full consideration for his views. But nothing is assumed to be more certain in the operation of the Constitution than the acceptance by the monarch of the results of the party conflict.

So long as the broad lines of that conflict present no vital differences of opinion, the weird metaphysics of limited monarchy have not presented any grave problems. The parties to the equation have doubtless had their difficult moments. Mr. Gladstone's path with Queen Victoria, as the documents make plain, cannot always have been an easy one. It is clear, also, again from the documents, that the terms upon which argument is conducted between the monarch and his ministers do not evade the necessity for exceptional

delicacy of treatment. It is not free and easy discussion across a table. It is not a matter of the hot and pungent note which colleagues can exchange with one another. The King represents the decorative part of the Constitution; his relations are built upon a dignified and traditional ceremonial which has behind it the weight of centuries. The minister who deals with him is always, so to say, in court dress. He can never find it simple, where differences are acute, to give the weight and emphasis to his view which are characteristic of normal relations. A debate in which one of the parties is bound by the habits of a technical etiquette must necessarily lack the force of one which takes place in the cabinet or the House of Commons. The status of the monarch, in a word, builds about him an atmosphere of contingent accommodation which produces, of itself, a real effect upon policy.

It is, moreover, of great importance that the King is the head of the social system. As the fountain of honour his prestige is enormous. There accretes about all he says and does those habits of loyalty and deference into the causation of which reason can so little enter. For the last three-quarters of a century, at any rate, the royal family has consistently grown in public regard. They have been removed from the heat of party struggles. They have devoted themselves to that simple social ceremonial which makes a universal appeal. They have shared, with skill and endurance, those national emotions which unify a people. Their eminent respectability, their simple social life, their share in every sort and kind of non-party public activity, these have given

them a hold on public opinion marvellously different from anything known in England a century ago. Anyone who compares the comment of *The Times* upon the death of George IV<sup>1</sup> with the national sympathy in the illness of George V can hardly regard the change in temper as other than a political miracle.

Imperial development, again, has greatly added to monarchical prestige. The maturity of the Dominions has made an end of the predominance of Downing Street; and it is now the Crown, and not the British cabinet's authority, which is the visible symbol of imperial unity. It is pretty certain that there are innumerable citizens of the empire whose allegiance to it is conceived in terms of a personal loyalty to the King. They disagree with the politics—whatever they are—of the Prime Minister; they have no particular affection for Englishmen; they do not think of England as "home" as they thought of it a hundred, or even fifty, years ago; they are primarily Canadian, or South Africans, whose territorial emotions are rooted in their native soil. But they have seen the King open his Parliament; or at Ottawa, maybe, they have been presented to his representative; or a daughter has participated in the majestic ceremonial of the Court; or, perhaps more significant than any other contact, the radio and the film have given them the means of direct relation with the King as person; whatever the source of the bond, there are few upon whom the time-honoured personality of the Crown and the magic

<sup>1</sup> Quoted in Sidney Low, *The Governance of England* (Cf. ed. 1915), p. 279.



of its traditions does not make its impact. It is for them the dignified embodiment of the great history in which they share.

Nor must we neglect the impact upon the people of the vested interests which the Crown represents. The King implies a court; the court involves an aristocracy. About the one there is grouped a body of industrial dependencies, the importance of which became manifest during the insistent widowhood of Queen Victoria. And the other conveys still a claim to political leadership which protects all the lingering remnants of the feudal tradition and its consequences in Great Britain. The existence of a quasi-official aristocracy in this country canalises a good deal of ambition and power towards the support of capitalist democracy; and the Crown supplies a large part of the emotional penumbra which persuades men to think of the way of life it implies as in a real sense a natural order deep-rooted in human impulse. An aristocrat has still a special status in Great Britain. The path to a career, especially in politics, is still easier for him than it is for other people. I have elsewhere<sup>1</sup> shown that the differential value of birth is, in this context, something like ten years. And the habits of the aristocracy work, with unquestionable skill, towards that same atmosphere of accommodation in politics which so easily blunts the sharp edge of conviction. The two Labour cabinets of 1924 and 1929 submitted to its embraces with a facility that was remarkable. There was a half-conscious assumption in their attitude that

<sup>1</sup> See my *Studies in Law and Politics*, p. 195.

their acceptance by the aristocracy was itself a proof that they were equally entitled with it to rule the country. They did not realise the truth of the famous aphorism of Molière that one embraces one's rival the better to strangle him.

Yet the fact surely is that the whole impact of the Crown and the social system it necessitates is to preserve that temper of inequality it is the purpose of a Labour Party to deny. It gives birth to a set of values which are both irrational and dangerous. It gives importance to vulgar ambitions which, stripped of the tinsel tradition confers upon them, would appear in all their naked vulgarity. It persuades men to accept the idea of a leisure class whose standard is set by the conspicuous waste of which they are capable. It attaches romance and colour to things in themselves utterly devoid of both. The admiration which attaches to social prestige is not one which can elevate a people. It mistakes charity for justice. It creates a subtle freemasonry which vitiates at every point the access of merit to position. For the association of an aristocracy with particular institutions gives to those institutions a glamour that is not inherent in them. The public schoolman, the student of the older universities, starts with a favourable handicap in life which is out of the reach of less favoured persons. The British aristocracy has been far too skilful to make itself a closed system. But access to it is so difficult that the struggle to mount saps the energies of those who are outside its ranks; and they accept its leadership because challenge to it is so difficult. Anyone who studies the movement

between classes in England,<sup>1</sup> and compares its relative immobility with that of France and the United States, will have no difficulty in realising the depressing effect it has upon talent. And it is astonishing to realise how largely the pivotal positions, even in the realm of commerce, remain in aristocratic control. Anyone who studies the directorates of British banks, or insurance companies, or railways, or who reflects upon the value of a titled name to a company prospectus, will see that if merit does force its way upwards it is always upon the condition that it shares the spoils with those whose title to them is simply a status they have inherited.

My point is the simple one that the psychology induced by an inegalitarian society fortifies privilege by making it seem natural, even when those who live by the privilege are in fact no longer called upon to perform that positive function which was once its explanation. To the newly enriched this privilege is open as a hard matter of purchase and sale, and its effect upon them is to intensify their crude materialism. To the remainder this privilege, fortified by all the technique of propaganda which is at the disposal of wealth, is taken as a mark of election. One has only to note the attention given by the Press to the Court or a royal wedding, the eagerness to be associated with some charitable function which basks in the approval of royal patronage, the rapidity with which some social convention similarly approved is followed, to realise that this is the case. The life of the average royal personage is usually little more than a dull routine of

<sup>1</sup> Cf. Ginsberg, *Studies in Sociology* (1932), Chap. IX.

dull ceremonial; but there is attached to it all, by deliberate invention, a psychological significance which persuades the multitude to accept as real the largely artificial values it creates. And those values are, in their essence, the things upon which the survival of capitalist democracy depends.

The problem of the monarchy in our time is the problem of its relationship to those values. The monarch is unlikely to be the enemy of the traditions he represents. The whole ethos of his position is alien from the idea of equality. The splendour, the luxury, the ceremonial, which surround him are all of them a means of impressing upon the multitude the right of privilege to rule. If it be said that the multitude appreciates them not less eagerly than those who share directly in their benefits, I should wholly agree; but I should draw therefrom the inference that this makes the task of any party which seeks equality only the more difficult as a consequence. The acceptance of privilege by the masses is only a proof of the way in which a vested interest deprives those excluded from it of an appreciation of their own position; just as millions of negro slaves in the Southern States could not be made to forgo their belief in the justice of a slave-order. And the problem, consequently, that the student of capitalist democracy is bound to ask is whether, when the privileges of capitalist democracy are challenged, the neutrality of the Crown can be preserved.

The problem is a very real one, and it is made the more difficult by the fact that the prerogative does not admit of exact definition. If it is strained in one direc-

tion, those who benefit by its elasticity can always find ground for insisting that the action that has been taken is a constitutional one. We must remember that during the Irish crisis the Conservative Party did not hesitate to urge the Crown to act independently of its ministers. We must remember, also, that, during the crisis of 1931, it was not least the pressure of the Crown which induced the leaders of the Conservative and Liberal Parties to ignore all the traditional conventions of party government and form the most extraordinary coalition in our history.<sup>1</sup> We must remember, further, that the sources of information out of which the royal view is formed all lean heavily on one side. The King does not cultivate the trade-union leader, or the socialist politician, when these are out of office. And in a period of really momentous crisis it is difficult not to feel that all the resources of the Press will be brought to bear upon him to urge that his use of the prerogative in that one direction is very definitely in the national interest. The Crown, they will say, is the reserve-power, the safety-valve, of the Constitution; it is above the party battle; to take, as it ought to take, its own initiative for the safety of the nation is the contribution that is expected of it. Extraordinary circumstances beget extraordinary actions, and the theory of a Patriot King is exactly suited to a crisis of this magnitude.

It would need, quite certainly, extraordinary courage on the part of the King not to yield to this kind of pressure. Unless a Labour victory left the capitalist nervous system wholly undisturbed—and that is hardly

<sup>1</sup> Cf. my *Crisis and the Constitution* (1932).

thinkable—the very foundations of the régime would be in question. His task is somehow to achieve maximum accommodation. The most obvious way is the proposal of a National Government as in 1931. But no Labour leader could accept that suggestion without thereby destroying his party. For a National Government would mean the shelving of those very measures to carry which a socialist victory has been secured. The discussion would then move naturally to the proposal of such a mitigation of the socialist programme as would be necessary to restore confidence. But any Labour leader would have to point out that to restore confidence in the minds of those whose established expectations it is his business to disappoint would force him to destroy the expectations of his own party. He must, on the contrary, seek to extract from the Crown the pledge that its prerogative is at his disposal to surmount all opposition to his plans. The House of Lords must live under the threat of a creation of peers until opportunity arises for its abolition; and powers must be taken for such emergency decrees as will make the socialist government the master of the situation.

No one will deny that this is to ask the King to confront an adventure outside all the traditions of which he is the embodiment. To give way is to take immense risks in which the possibility of social conflict is involved. To decide, on the other hand, that the election does not represent the settled will of the nation, to seek a further appeal to its decision, to allow the old government to carry on in the hope and belief that men will hesitate to confirm their first judgment

when they see the abyss it opens beneath their feet, is an action which, however dubious, would be obviously intelligible. The King who acted in this way would become, overnight, the hero of the governing classes. He would rally to him all their authority, their power, their emotional attachment. He would become their leader, with all of his historic prestige at the service of the party which did battle for them. There would be a very real chance of victory in the passionate excitement which would follow; and a Conservative victory, in such circumstances, would rebuild the confidence upon which capitalist democracy depends. No one need suppose that such a socialist defeat would not be taken by great masses of the population as a vindication of the King's action, and he would have enormously enhanced his prestige in the eyes of all to whom freedom from discomfort is the first consideration in life.

The position would be different if the socialist party repeated its success at the polls. The problems that would then emerge, though serious, are only insurmountable if the holders of economic power refuse to accept the electoral verdict. This is at least a possible contingency. A party holds power in the Germany of 1932 which has no serious popular support behind it, and it has shown that the Weimar Constitution can be jockeyed so as to assure the continuance of its authority. The Fascist Revolution in Italy made it clear that the monarch can become an acquiescent accomplice in the reign of *force majeure*; and that acquiescence, in the English conditions I have postulated, would

retain for the King all the psychological relationships to which he is accustomed. And if he were persuaded that, despite a second socialist success, the national interest, and the emergency it confronted, did not admit of a socialist government, it is not difficult to imagine that the governing classes would rally to his side. The outcome, no doubt, would be a dictatorship no longer able to mask its abrogation of constitutional forms. But there have always been men willing to risk that adventure when the price of its success is so vast to those who will receive it.

It is desirable here to say two things with emphasis. Nothing in this hypothetical argument assumes any desire on the part of the Crown to act in a partisan way. The history of the monarchy since the accession of Queen Victoria has shown pretty clearly that, however strong may be the monarch's personal views, he is anxious to remain outside the party conflict; is willing, accordingly, to accept its normal results as part of the obligations of his position.<sup>1</sup> But in the circumstances I am considering the results of the party conflict are inherently abnormal. They destroy the unity of the people by challenging the fundamental assumptions of the political system. It seems to me difficult to argue, in such circumstances as these, that, whatever the King's own desire, an attempt will not be made to exploit his prerogative. As I have pointed out, that attempt has been made in less difficult circumstances when the issues at stake were far less

<sup>1</sup> On all this a memorandum of September 1913 by Mr. Asquith is of great interest. Asquith and Spender, *op. cit.*, Vol. II, p. 29.



critical; and it would require an almost superhuman sense of fair play on the part of the governing class to refrain from an attempt at such exploitation when their existence as a governing class has been threatened. So to refrain, at least, has not been their habit elsewhere.

It is, secondly, important to realise that what would appear partisan action, on this hypothesis, to a victorious socialist party, would not necessarily appear as such either to the King himself or to those who were threatened by its victory. The idea of partisanship, in these terms, has a pragmatic and not an absolute meaning. The King has to consider the results of allowing his prerogative to be used in one way rather than another way. In the one direction it permits the maintenance, at least in its large outlines, of the *status quo*; in the other it moves straight to the reversal of all accepted tradition. That tradition, after all, is a thing of beauty and appeal to those who accept it, and the men who fight on its behalf have the assurance of honour from its beneficiaries. Mr. Ramsay MacDonald may seem the lost leader to the socialists; to their opponents he is the man who found in himself a larger patriotism than party loyalty in an hour of grave national crisis. To those who dissent from the practices of the Coalition Government of 1932, its abandonment of collective cabinet responsibility may seem a betrayal of the decencies of public life; to its friends, it obviously seems a brilliant expedient to meet a temporary problem. If this is the way of thought of men engaged in the party battle, if they can make

these startling adaptations with apparent sincerity, and be applauded for them, is it illegitimate to consider that the King, who is above them all, who can be constitutionally advised by these same men, or similar persons, to make analogous adjustments, should, also sincerely, feel himself impelled to act upon their advice? In the short run, at least, it is probably the easier of his alternatives. It is the one least likely to disrupt the foundations of capitalist democracy.

And it is the one most logically implied in all the traditions of a monarchical system. There is no fixity in the working of institutions. The habits of the Crown since the Victorian epoch have not been the outcome of some deliberate intellectual plan, either on its own part or on the part of its advisers; they have been the obvious response to the necessities of its situation. It has exchanged power for influence because the shift in the economic conditions of society no longer permitted its exercise of an active authority. And whoever traces the history of its influence will not find that it operated in a radical direction. It makes, by all that it is, for continuity with the past. That is the atmosphere in which it is enveloped; that is, also, the psychology by which it is supported. The very principle of hereditary monarchy is an anachronism in a democratic society. It persists because Great Britain has not had to undergo, since the Civil War, a catastrophic revision of institutional foundations. All its effective social relationships are a denial of the hypothesis of equality. However gracious, however hard-working, however well-intentioned the monarch may

be, without a social hierarchy of the type we know in England it would be difficult for him to perform his present functions.

His neutrality, in a word, has been possible because the facts permitted neutrality. Once they compel men to choose between mighty opposites, the continuance of a tradition of impartiality is difficult indeed. And it is worth recalling that the feudal elements in our system all hinge upon the power of government to assure that continuance. The oath of a Privy Councillor is to the King, as is that of the officer in the army and navy. There is, in fact, a reservoir of personal loyalty to his office in the Constitution which a crisis might easily bring into full play. It would not be necessary for the King actively to intervene; it would only be necessary for his advisers to be active in his name. There is not an item in the operations they must perform for which more is necessary than a determined will and the refurbishing of ancient precedent. Millions will be easily persuaded that the action taken is the surest way to preserve the safety of the realm; and, short of active resistance, there is nothing a socialist opposition could do in these circumstances but accept the *fait accompli*. Once again it is worth while insisting that nothing in these assumptions casts even a shadow of doubt on the good intentions of the Crown. Its whole interest is peace; the path indicated for its acceptance is the surest road to its preservation. But it is suggestive that, in following this path, the Crown also preserves the foundations of capitalist democracy.

One final remark in this context should be made. The assumption of the parliamentary system is always that the centre of effective decision is in the legislative assembly. No one can consider the situation in which capitalist democracy finds itself without realising how partially this is the case. Parliament decides when the stage is set for its decision. But the curtain is drawn by the Crown when it summons Parliament to meet; and the suspension of such summons leaves the centre of effective authority in other hands. Not to summon it is, of course, a thing perilously close to a *coup d'état*; and those who engage in such operations must be successful to legitimise their attempt. Their action suspends that basis of consent to government which is always the condition of its smooth operation. Yet I do not see how the attempt could fail of success so long as the normal machinery of government continued to function. There is every reason to suppose that the armed forces of the Crown will remain loyal and that the civil service would preserve its traditional habit of obeying whatever government was in power. There might be a general strike; but a general strike, in modern technical conditions, is too negative a weapon to attain its end as long as it remains a peaceful protest. I conclude, that is, that a government can always remain in office, as M. Clemenceau said, once it is determined to do so, and that the peculiar conditions of the British monarchy offer to it a unique psychological basis for its determination.

The result, of course, is the breakdown of the parliamentary system. But that, as I have pointed out,

is a necessary consequence of the conditions postulated. The parliamentary system has no reality unless men are prepared automatically to accept the results of its functioning. Once they refuse to abide by them, its principles become wholly devoid of meaning. It may be that the British governing class is different from any other in historical experience in its willingness to abide by consequences of which it profoundly disapproves. It may be that it is prepared, out of its habituation to constitutional methods, to see itself stripped of power by the very instruments devised to preserve it. It may be, finally, that it has a capacity for self-sacrifice which no analogous class has ever displayed. In these events, no doubt, parliamentary government will be both enriched and strengthened by the proof of its unique flexibility. Yet because it may be the case that British human nature is not, in the last resort, so finally different from that of Germany or France or Italy, the discussion of alternative hypotheses is not wholly an illegitimate adventure.

## VI

The place of the judiciary in a capitalist democracy is one of considerable complexity. The tradition of the law is one of impartiality. Its ministers stand, aloof and incorruptible, above the conflicts of the marketplace. They are concerned to apply its majestic formulae without regard to the status of the persons who appear in its courts. In modern times, at least, the ideal of equality before the law has been one of the

classic assumptions of a society built upon individualism and democracy. The law does not respect persons. The judge does not interpret its meaning in terms of his personal desires. Rich and poor, black and white, atheist and Christian, are alike entitled to the amplitude of its protection.

But this theoretical impartiality must be read in its special context. Law is not a body of eternal and immutable principles which, on discovery, the judge forthwith applies. Law is a body of rules made and changed in given times and places by men to secure ends which they deem desirable. And the texture of law is always woven from the particular colour of the society it seeks to express. Law in the feudal period expresses the characteristic relations of a society whose conception of rights and duties is based upon the ownership of land. Law in a capitalist democracy seeks, in a similar way, to express the wants of a society in which the ownership of property is the fundamental title to consideration. Law in Soviet Russia is deliberately devised to protect the basic assumptions of a communist state.

It is not difficult to prove that this view is well founded. The substance of it, perhaps, is most clearly seen in the functioning of the Supreme Court of the United States. That famous body has amply fulfilled the purpose assigned to it by Hamilton of acting "as a barrier to the encroachments and oppressions of the representative body."<sup>1</sup> Anyone who considers its interpretation of the Fifth and Fourteenth Amendments

<sup>1</sup> *The Federalist*, No. 77.

to the American Constitution can hardly do otherwise than conclude that the essential assumption upon which the Court has proceeded has been the undesirability of hampering by law the relations of capitalist and wage-earner, on the one hand, and the necessity, on the other, of maintaining the rights of property to the established expectations it has accumulated. No other theory will account for its attitude to such legislation as that intended to establish a minimum wage, or to abolish child-labour, or, as in *Coppage v. Kansas*,<sup>1</sup> to prohibit the dismissal of workmen who join a trade union; all these cases have been built upon an abstract conception of liberty of contract, regarded independently of the power to make a reasonable bargain, of which the obvious implication is the divine right of the capitalist to rule. On the other side, the history of railway rate regulation, and, most notably, the classic decision in *Smyth v. Ames*,<sup>2</sup> assumes nothing so much as the right of the courts to decide passionate political controversies between business men and legislative assemblies in the interest of the former. Its attitude, moreover, to the use of the injunction in labour disputes, above all since the passage of the Clayton Act, seems to complete the closed circle by insisting that the power of the trade union to fight shall be limited to a plane upon which the interests of the employer do not suffer prejudice.<sup>3</sup>

"The Constitution," wrote Jefferson to Spencer

<sup>1</sup> (1915) 236 U.S. 1585.

<sup>2</sup> (1898) 169 U.S. 466.

<sup>3</sup> Cf. Frankfurter and Green, *The Labour Injunction* (1930).

Roane,<sup>1</sup> on this hypothesis, "is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please." What, in fact, the American judiciary has done with the Constitution is to shape its outlines so that they have become the protective rampart of capitalist principles; and where for a moment those principles may seem, as in *Hepburn v. Griswold*<sup>2</sup> to have been in danger, the balance of opinion on the bench has been redressed in the interest of greater security. One has only to remember the storm of protest raised by the nomination of Mr. Justice Brandeis to the Court in 1916 to realise that the owners of property are perfectly well aware of the function performed by the Court. It protects the interests of the few against invasion by the many; and it is always subject to the limitation that the broad rights conferred by the Constitution upon the legislature must be read. Were the American socialist party to capture both the presidency and both houses of Congress, it would be powerless to pass drastic socialist legislation until it had nominated a majority of the Supreme Court. Upon any other terms, it is certain, on the precedents, that its statutes would be held unconstitutional.

This is not for one moment to argue that the Supreme Court sets out deliberately to weight the incidence of the Constitution. On the contrary, no one can read its decisions without the conviction that their authors have acted wholly in good faith. They have believed that the principles they laid down were in the interest

<sup>1</sup> October 12, 1815.

<sup>2</sup> (1869) 8 Wall. 603.



of the American people because the mental climate of American capitalism did not permit them to think otherwise. What Mr. Justice Holmes has called their "inarticulate major premiss" was the acceptance of capitalist democracy as Nature's social order; and they have interpreted the law consistently to conform to its assumptions. How could another result be expected? Appointment to the Supreme Court has always lain in the hands of parties which were permeated by the capitalist philosophy of life; to be available for nomination meant not merely the possession of ability, but also the knowledge that the candidate was a man of "sound" views, where soundness implied that he did not question the assumptions involved. That is why, in the history of the Court, not only has the radical, like Mr. Justice Brandeis, been extraordinarily rare; even the sceptic, like Mr. Justice Holmes, who is prepared to approach the analysis of constitutional issues upon the basis that the fundamental instrument continually requires adaptation to new needs, has been rare also.

The result in America has been the simple one that as the capitalist system has grown consistently less able to satisfy popular demand, so the Supreme Court has become increasingly the subject of public attack from radical opinion. No small part of the energy of the Progressive movement was supplied by Mr. Theodore Roosevelt's demand for the recall of judicial decisions by popular vote. The inability of the unions to put confidence in its impartiality, of which, in one field, their fight for the Clayton Act was a notable expression, is a commonplace of the social struggle

there. It has become clear that the courts are not neutral instruments which decide without bias upon the reason implicit in the facts before them. To emerge into principles those facts must be fitted into a scheme of values; and those values, in the hands of the Supreme Court, and all lesser tribunals, take the shape required by a capitalist society. The interpretation given to law is that which is required by the dominant economic interest, and all the resources of intelligence are brought to bear to make that interpretation seem the voice of impartial reason. No doubt the Supreme Court of California, when it rejected the various appeals of Mooney and Billings, did its best to satisfy the demands of justice; no doubt, also, Judge Thayer, in the trial of Sacco and Vanzetti, was convinced throughout that he served truth only. It is the tragedy of both those cases that they demonstrate convincingly the way in which the "inarticulate major premiss" of the court makes the essential figure upon the field of battle. There is no equality before the law, there cannot be such equality, until the conditions which make inequality profitable to those who benefit by it are removed; and that removal is unattainable so long as the assumptions of capitalist philosophy dominate the practice of the courts.

Nor is there reason to suppose that the essentials of the British system are different. It is, of course, vitally important that the English judiciary is always bound by the will of Parliament; it cannot, as in the United States, set boundaries to the area over which that will is exercised. It is impossible, further, to overpraise the

tradition of independence and incorruptibility which has characterised the bench since some such period as the Act of Settlement; I do not think that cases like those of Mooney or of Sacco and Vanzetti would be possible in a British court. But it must be remembered that the traditions of the Common Law have shaped a body of principles above all tender towards the rights of property. The judge, further, is the master of statutory construction; and it is in terms of the tradition of the Common Law that he interprets Acts of Parliament. Nor is this all. The judge, both by training and association, is a member of the governing class. He is a successful barrister, and, in the majority of instances in the last hundred years,<sup>1</sup> a successful barrister who has played his part in the House of Commons. His training and his career both bend him to the acceptance of the implications of the system under which he lives. He, too, like the American judge, has his "inarticulate major premiss," and, granted the differences of the political system, that leads him to make the theoretical equality of judicial interpretation operative only after its initial assumptions have been satisfied. He does this, I have no doubt, in absolute good faith; he does not suspect that his intellectual operations are other than an offering upon the altar of objective reason. His integrity as a person seems to me quite beyond suspicion. What is involved is not his *bona-fides*, but the way in which, *a priori*, his decisions are coloured by the assumptions of the society he assists in governing.

<sup>1</sup> Cf. my *Studies in Law and Politics* (1932), p. 168.

I do not see, otherwise, how much of the doctrines of English law are capable of rational explanation. The history of the construction of the Workmen's Compensation Acts only becomes intelligible on the hypothesis that the Court of Appeal, particularly, disliked the invasion of freedom of contract between employer and workman, in the latter's interest, by statutory control. The interpretation of trade union law above all, perhaps, as stated in the famous *Osborne* case,<sup>1</sup> has always proceeded upon the assumption that public policy requires the confinement of trade union activity within the narrowest limits; there has been implicitly present in the decisions of the judges the suspicion against combination by the workers which was almost a dogma of the courts of the early nineteenth century. That attitude, it should be noted, is the more remarkable because no such assumption as the *Mogul* case<sup>2</sup> makes evident has characterised judicial decisions about the behaviour of employers; "public policy" seems to make different assumptions for different industrial classes. The doctrine of common employment could only have been devised in a society where it was considered undesirable to allow the incidence of accident to be a burden upon the capitalist. And, in some ways, the most extraordinary decision of all was that in *Reed v. Seamen and Firemen's Union*,<sup>3</sup> where, in the midst of the General Strike of 1926, though the issue was not before him, and was not argued as an issue, the judge, speaking *obiter*, held that the General Strike was illegal—a view which, to

<sup>1</sup> [1910] A.C. 87.

<sup>2</sup> [1892] A.C. 25.

<sup>3</sup> [1926] Ch. 536.

say the least, was a matter of dubiety so great that no impartial decision could have been reached in such an offhand manner.<sup>1</sup>

The same unconscious leaning towards the assumptions of capitalism appear in another realm. The courts are charged with the task of controlling the activities of local government so as to prevent them from exceeding the power delegated to them by statute. Upon this basis it has been held by the House of Lords that "reasonable" wages do not mean wages which, in the opinion of the elected authority acting in a *bona-fide* way, are reasonable, but such a wage-rate as is approved by the House of Lords.<sup>2</sup> The implication of that claim is twofold. On the larger side it means that the courts charge themselves with fixing suitable standards of policy over the whole range of local government; like the Supreme Court of the United States, they become, in this context, a superior legislature the views of which necessarily limit all discretionary power entrusted by the central government to local authorities. On the lesser side, in so far as a local authority strives to be a model employer, with all that this implies in its general repercussion on industrial conditions, the courts insist that its standards shall not advance beyond that which is approved by them. Nor is the decision of the court upon the meaning of educational policy less significant.<sup>3</sup> It decided that it is not "educational"

<sup>1</sup> Cf. A. L. Goodhart's powerful essay: *Essays in Jurisprudence* (1931), Chap. XI.

<sup>2</sup> *Roberts v. Hopwood* [1925] A.C. 578.

<sup>3</sup> *R. v. Lyon* [1921] 38 T.L.R. 62.

expenditure for the London County Council to arrange for the attendance of its school children at performances of Shakespeare's plays, a decision so retrograde that it had later to be reversed by statute. In this vital field of public administration, in a word, the power of the courts to interpret statutes is used, no doubt from the highest motives, to protect the interest of that type of ratepayer who regards all avoidable expenditure upon local government as waste. It rules out a great range of creative experiment in a vital field. The "inarticulate major premiss" of the judges in this realm makes them act as the exponents of a capitalist philosophy.

Within the realm of criminal law, the improvement in the procedure of the courts in the last century has been notable; few judges to-day would deliberately act in a quasi-political trial as though, in the Ellenborough manner, they were additional counsel for the prosecution. Yet the unconscious bias displayed is both real and pervasive. The underlying assumption of the judge who tried the communists in 1925 was that to be a communist is an offence against the state; it is difficult, otherwise, to explain his offer to the prisoners to inflict a light sentence upon them if they would agree to abandon communism.<sup>1</sup> All of our English law against sedition and seditious conspiracy may not unfairly be described as a weapon to suppress controversy whenever controversy threatens to become seriously inconvenient; as Dicey said, were it applied, it would

<sup>1</sup> Cf. my discussion in *Liberty in the Modern State* (1930), p. 225 f.

make normal political controversy impossible.<sup>1</sup> And it has invariably been applied so as to suppress the propaganda of the Left—that which denies the assumptions of capitalism—while leaving that of the extreme Right untouched. Lord Carson may embark upon constructive treason without prosecution, but a communist who hands a seditious leaflet to a soldier or sailor goes to jail with a severe sentence. Yet everyone knows that, effectively, Lord Carson's 'treason' was overwhelmingly successful; and everyone equally knows that communist propaganda among the armed forces of the Crown has been completely barren of results.

There is, in brief, a good deal in the habits of English justice which gives point to the traditional accusation that there is one law for the rich and one law for the poor. The problem of freedom of speech is a special instance of it. But anyone who compares the treatment of the poor debtor with that of the rich bankrupt; who observes the complete inadequacy of our arrangements for the defence of poor persons; who notices the differentiation of treatment for motoring offences or disorderly conduct that is meted out to a member of the governing class, on the one side, and a member of the working class on the other;<sup>2</sup> or who remarks how, in the application of the law relating to picketing during a strike, all the assumptions, both in the statute itself and in the minds of most of the magistrates who try the cases, work in favour of the

<sup>1</sup> Dicey, *Law of the Constitution* (cf. ed. 1915), p. 240.

<sup>2</sup> Cf. my *Justice and the Law* (Seal Memorial Lecture), 1931; and *English Justice*, by a Solicitor (1932).

employers—will find it difficult to deny that equality before the law is, as a general rule, a matter of hard purchase and sale. A working man injured in the course of his employment would find it difficult adequately to present his case for compensation, especially if the action was appealed to a higher court, unless his union took it up on his behalf. The measure of damages in a libel action is very largely a function, not of the injury caused, but of the social status of the plaintiff; and much the same is true in actions arising out of fatal accidents, as in motor-car cases, where the defendant is liable through negligence. With the utmost desire to be fair, our system cannot help reflecting the fact that, in a capitalist democracy, it is the interest of the capitalist which gives shape and colour to legal doctrine.

How could it well be otherwise? Law is always seeking to protect the interests which will not suffer denial; they fight for a place within its categories. They win their battle because they have the power to do so; and conquest, once it is sufficiently overlaid with tradition, gives birth to right. We cannot make law when men are not prepared to accept its consequences. That is why prohibition has been unsuccessful in the United States; why, there also, not the most solemn declarations have sufficed to give equal protection of the laws to the negro. He is entitled to the franchise, on the condition, in the south, that he does not vote. He is entitled to use the railways as a public carrier, on the condition always that he does not demand their amplest amenities. *Mutatis mutandis*, what is true



of the American negro is true also of any class which seeks from the law the protection of interests which deny the fundamental assumptions of the system law expresses. So long as men's power to shape its character is unequal, its incidence also is bound to be biased.

Nor is this conclusion in the least vitiated by the lawyer's ability to produce exceptions to the rule. It is doubtless true that much of the law, the Workmen's Compensation Act, for example, represents a definite breach in the citadel of capitalism. As the increasing organisation of employers produces an increasing organisation of workmen, as the latter, moreover, attain the franchise and become politically conscious, concessions have to be made by those who control the law to the power represented by organised labour. Nor need we doubt that among those who insist that the concessions should be made are men whose advocacy is built not on a common interest with Labour, but upon the ethical perception that it is right that the concessions should be granted. Frederic Harrison's defence of trade union claims, Plimsoll's advocacy of his load-line for seamen, Mr. Justice Brandeis's support, when a practising barrister, of the legal limitation of the hours of labour, are all shining examples of the way in which the compulsion of facts will operate on generous minds. But the proof that some concession is warranted by the facts does not mean that it will be written into law. The legal affirmation is made when a change in the mental climate is induced by an alteration in the balance of economic and political power. The case for women's suffrage was obvious

when Mill wrote his *Subjection of Women*; but it was not conceded until their entrance into industry upon an enormous scale, and their consequential determination to fight for it, made denial no longer possible. The inadequacies of trade union law were patent for a generation after the repeal of the Combination Acts; but it was not until the urban artisan was enfranchised in 1867 that both parties hastened to try to win their support by necessary legal changes. Legislation protecting the interests of the miners and the railwaymen has always been a function of the strength of their unions; and nothing is surely more significant than the admission by high authority that the subsidy was granted to the coal-owners in 1925 (to make possible the maintenance of the existing level of wages) not because it was desirable, but because the state was not, at the moment, adequately prepared to fight organised labour.<sup>1</sup>

It is, moreover, important to remark that the interest of lawyers as a profession is always on the side of the *status quo*. The reasons for this, if complex, are obvious. The lawyer earns his living by serving the needs of a capitalist society. Its big rewards must, in general, go to those who specialise in commercial work. The big company lawyer has nothing to gain, and a great deal to lose, by the decay of a capitalist civilisation. He spends his life in fighting for the interests of business men; his income is a function of their needs and their mistakes. It would be remarkable indeed, if, in

<sup>1</sup> Cf. W. H. Crook, *The General Strike* (1931), Chaps. IX–XIII, for a mass of material on this point.

an association so close, he did not assimilate their philosophy and come quite sincerely to believe that upon its assumptions depended the well-being of society. For him to be connected with causes of which the purpose is to deny those assumptions is to injure his availability by damaging his reputation for soundness. Many of the judges of the American Supreme Court had been passionate partisans before their elevation to the bench; but no one ever suggested that their strong views, which never denied the essentials of a capitalist democracy, unfitted them for that office. But that was at once the outcry when Mr. Justice Brandeis was nominated to the Court in 1916; and it is significant that he had become known as the advocate of the trade unions. Nor is it unworthy of remark that the lawyer who served the Labour Government of 1924 in high legal office suffered a serious loss of income until he severed his connection with that party. The relation was an obvious proof that he could not be considered sound.

Another aspect of this problem requires emphasis. The lawyer's habits are rooted in precedent and tradition. He is seeking to predict for his clients the expectations of to-morrow in terms of past certainties. His effort is therefore obviously directed towards the approval rather of stability than of change. It is not, therefore, remarkable that the reforming lawyer should be something of a rarity, and that the pressure towards most big legal changes should have come from outside the ranks of the practitioners. Only a man of Bentham's unique tenacity of mind would have persisted in his

demands for reform in the face of the blank hostility or general apathy he encountered from the profession. No lawyer who practises in the English divorce courts to-day but knows that its proceedings are in a high degree a mixture of farce and hypocrisy; but there is no organised movement among lawyers to end this state of affairs. In the sixty years that have passed since the enactment of the Judicature Acts it was left to a Labour Lord Chancellor to take the first steps under them to use their facilities to mitigate the delays of the law; and he would be the first to admit that their smallness of scale is due to the fact that innovation is not welcome to the profession. The Judicature Acts, again, offer facilities to the judges to suggest improvements in legal doctrine; but as a corporate body they have never taken advantage of them. The student may read the annual reports of the Bar Council without any sense that legal problems exist other than those which concern the etiquette of the barrister; and if it be said that this is not a function of the Bar Council, the reply is, I think, the significant one that no other organisation exists within the profession for seeking to remedy the defects of the law.

In America the situation is more hopeful; the professional associations have from time to time concerned themselves, even zealously, with the improvement of the procedure and personnel of the courts. But that is due less, I believe, to a desire to make law reform an integral part of the profession's obligation than to the general existence of that state of affairs set out in grave detail in the special investigations made for

the President's Commission on Law Enforcement.<sup>1</sup> It is the powerlessness of the courts of the United States in the face of organised crime, rather than a zeal for the continuous adaptation of legal principle to social need, that is at the root of the American lawyer's activity in this direction. Much more important is the way in which, quite differently from the experience of Great Britain, the law schools of American universities have become the deliberate critics of the working of the law, devoting themselves to an assessment of its principles, an indication of the direction of desirable change, such as we have not known since the days of Bentham. And this needs the more emphasis because it is exactly that expression by the intellectuals of dissatisfaction with existing legal values which, as I have already noted, is usually the precursor of an age of drastic change. When Holmes the sceptic and Brandeis the radical are *par excellence* objects of admiration and sympathy to the great mass of the teachers of law, it is not an excessive hypothesis to assume that we are on the threshold of a great age of criticism in the law. For legal foundations are never scrutinised save in the period of transition to a new equilibrium.

But the problem presented by the legal system does not differ from that which I have been discussing throughout these pages. It expresses, in its main features, the wants of a capitalist democracy. One can discern the pressure upon it to admit the validity of doctrines which deny the assumptions of such a democ-

<sup>1</sup> *House Document 252* (1931).

racy; and one can see how it is organised to resist their recognition as valid. That new society which is striving to be born within the confines of the old encounters just the same difficulties in its birth as has been true of similar situations in the past. The courts in our society are not less one of the legislative chambers of privilege than they were in the France of the *ancien régime*. They are more gracious in their habits; they are far less blind to the demands of novelty; they have traditions of personal honour and independence among their members to which the older courts cannot, in a similar degree, lay claim. But at bottom they perform the same function. They legislate by evolving doctrine from precedent in the interest of the possessing class. Wherever they may yield, upon what is fundamental in that interest they do not yield. Again let me emphasise my own sense that, so far from being a breach of trust on the part of the judiciary, they perform their function with no other desire than service for the public good. Only, it is of the essence of the problem that their conception of that service, as embodied in their decisions, is incompatible with the substance of the doctrines a non-capitalist democracy would need for its support.

Neither the French nor the Russian Revolution found it possible to maintain the judicial system of its predecessor; in the first case, indeed, the *cahiers* of the Third Estate forecast the inevitability of change by the torrent of criticism they poured upon the operation of the legal system. The substance of their attack may be found, before the revolution itself, in

Linguet's famous answer to Montesquieu's still more famous book: "l'esprit des lois," wrote the great Conservative advocate,<sup>1</sup> "c'est la propriété." That is not less true in our own time. We also are concerned in a revision of the rights of property, a devotion of the power it embodies to new ends. Doctrines evolved to protect those rights, courts habituated to screening them from attack, even, be it noted, when that attack comes in the name of the legislature, will not, at least easily, adjust themselves to a new perspective. But their failure to do so must necessarily result in the consequences which always attend opposition by a class or creed to the abrogation of privilege. Here, as elsewhere, the alternative to reform from within is the enforcement of change by revolutionary means.

<sup>1</sup> *Théorie des Lois Civiles* (1767).

## CHAPTER III

### AUTHORITY AND DISCIPLINE IN CAPITALIST DEMOCRACY

#### I

The crisis of capitalist democracy is essentially a crisis of authority and discipline. The power to secure obedience to its principles has decreased because men increasingly refuse to accept its ends as obviously just. In whatever realm we examine the claim of law to respect, it is clear that its power over its subjects has declined. And that decline is not merely due—as in the case of prohibition in America—to the enactment of unwise statutes in some particular field of behaviour. It is not the outcome of a growth of conscious and deliberate lawlessness valued for its own sake. The great mass of people to-day, as in Burke's time, have no interest in the manufacture of disorder. Disrespect for authority is not due to some sudden burst of enthusiasm for anarchy; it is rooted in a disbelief in the principles for which authority has been organised in a capitalist society.

There is hardly any aspect of modern life in which this phenomenon does not occur. The decay of classicism in literature, the influence of negroid forms in sculpture and music, the increasing rejection of the traditional religious standards in sexual relations, the general exaltation of impulse over reason as the ulti-



mate canon of conduct, the emergence of doctrines in the political field which organise their private armies lest reason be victorious against them, are all of them symptomatic of a decay in the respect for those conventions which have reflected the traditional principles of capitalist democracy. Once they are projected on to and viewed from a single plane it becomes obvious that they are anarchical only in the sense of a rejection of the dominant values; for the whole civilisation never embraces anarchy on principle. Many straws in the wind show the movement of contemporary temper. A generation ago society frowned upon divorce as an invasion of the standards to which it lent its approval; to-day it is an unchallenged incident of daily life. A generation ago Mr. Bernard Shaw's passionate attack on conventional foundations was regarded as the amusing performance of a licensed jester; to-day, he is not merely in danger of becoming a universal prophet, but the recognition of the significance of Heartbreak House is even a platitude in suburbia. The popular moralist of the Victorian age urged upon his contemporaries the sovereign virtues of thrift, hard work, and self-help; Mr. Lippmann preaches to a bewildered America the attractions of detachment and scepticism.<sup>1</sup> With a decline in certitude and self-confidence, there is bound to be a decline in the respect for law. For law depends for its power on certitude about and self-confidence in the things that it commands. If these are absent, its title to allegiance is bound to suffer challenge.

<sup>1</sup> See his *Preface to Morals* (1929), esp. pp. 326-30.

It follows from this that no mere changes in political machinery are adequate to the proportions of the problem. Its essence lies deeper; and, indeed, it may well be argued that we have already had sufficient experience of mechanical changes to realise that it is mere illusion to place any final confidence in their results. Proportional representation, the initiative and the referendum, the recall of elected representatives whose performance is deemed inadequate by their constituents, every one of these has been tested in some important theatre of action, and none of them has been able to satisfy the need for a revival of the foundations of capitalist democracy. At one time it was widely believed in the United States that the direct primary would enable people positively to choose their own representatives instead of negatively rejecting the nominee thrust upon them by the party with which for the moment they were least in sympathy. It is probable that the device has not been altogether devoid of beneficial result; but, compared to the crisis for which it was urged as a remedy, it was a mere pill to cure an earthquake.

The reason for this adequacy is the simple one that political forms, of themselves, can accomplish nothing; their value depends upon the spirit which energises them to their appointed end. A Parliament which exactly mirrored the distribution of opinions in society would be of no avail unless there was common agreement among its members about the principles they were to maintain. A Parliament even of Titans would be worthless if that basis of common agreement was

lacking. The analogy of Geneva makes this clear. There is gathered in the Assembly of the League each year as distinguished a collection of statesmen as it is possible to bring together in the modern world; but the absence from among them of that common mind about the range and intensity of international action, which could alone make the League of Nations amply creative, deprives it of essential effectiveness. Nor is there anything but disappointment in the experience of direct popular government. Anyone who analyses the experience either of Switzerland or of the United States will, I think, be tempted to conclude that the kind of issue which is central to the democratic problem is susceptible neither of statement nor of decision by so crude or so blind an instrument.<sup>1</sup>

The mechanical improvements of institutions have their periods in which one scheme or another enjoys its brief hour of fashion. Since the war, the main challenge has been to the basis of representation itself. Sometimes, as with the guild socialists in England, the argument has taken the form, first set out with emphasis by Rousseau, that one man's will cannot be represented by another; and it has been desired to replace the omniscient member of Parliament by the representation of functions ultimately co-ordinated into unity by an indirectly elected assembly in which each function finds its due place. But the proposal breaks down for two main reasons: the weighting of the functions is impossible, on the one side, and the

<sup>1</sup> Cf. A. L. Lowell, *Public Opinion and Popular Government* (1913), for a mass of useful statistics upon the initiative and referendum.

relevance of special expertise to the task of co-ordination is incapable of definition on the other. There is no satisfactory way of defining the boundaries of a function so as to give them precision. The eminent representative of a guild of doctors may be able to speak for his constituents upon medical matters, but there is no relevance between his medical knowledge and his vote upon, say, some issue in foreign affairs, or any ground for supposing that he speaks for his constituents when he does so vote. Over a decade of experience, moreover, of bodies like the German Economic Council suggests the clear lesson that they are useful when they are set, through a sub-committee, to decide some special and narrow problem about which its members have competence; but they do not differ in any important way from the ordinary Parliament when they are asked to decide large general questions. Upon the latter type of problem, indeed, their almost inevitable division into equal membership between capital and labour strikes them into impotence from the outset. What they are obviously fitted to perform is the function now entrusted, in Great Britain, to the Royal Commission or Departmental Committee; they prepare the ground for subsequent legislative action. But this appears to be the upper limit of their usefulness.<sup>1</sup>

Nor is there, I think, much aid to be found in the various proposals for devolution that are at present so freely discussed. Those which, like that of Mr. and Mrs. Webb, seek relief by dividing parliamentary busi-

<sup>1</sup> Cf. my *Grammar of Politics* (1925), Chaps. II and VIII.

ness into two great fields, and give to each a legislative assembly of its own, break down because no such division as they postulate is practicable; we cannot discuss unemployment in one assembly and foreign affairs in another, when a large part of foreign affairs is concerned with action which relates to problems of unemployment. Either the two assemblies must continually meet in common to discuss common problems, in which case, for effective purposes, they become a single assembly, and the relief proposed is lost; or the same discussion takes place twice over without the means of appropriate legislative action being fully open to either body. Nor can functional devolution adequately meet two other vital necessities. There must be single control in finance; and the Parliament with the taxing power is bound to be the master of the other assembly. Where, moreover, the two bodies are of different party complexions, it is impossible to achieve unity of purpose in the state. A situation in Great Britain in which the Social Parliament was controlled by the Labour Party, and the Political Parliament by the Conservatives, would rapidly lead to the erosion of all logic from affairs.

Territorial devolution is, at first blush, more attractive. If the Central Parliament is overwhelmed, it seems both simple and natural to multiply the number of Parliaments, and thus relieve it of some of its burden. If the United States, with one hundred and twenty million people, needs forty-nine legislatures to carry on its business, we are told, it is ludicrous to suppose that Great Britain can work efficiently with one; and

if we devolved authority for local concerns on, say, Wales and Scotland and England, not only would the parliamentary position be greatly improved, but attention could be given to interests which are now sadly neglected. The argument, in fact, is quite specious. American federalism was an admirable expedient in the days of fairly self-contained agricultural communities within the state; to-day, with large-scale industry of national ramifications, it is, as the problem of dealing with child-labour makes evident, a grave hindrance to that uniformity of legislation which, over an increasing area, the great society requires. Anyone, moreover, who considers item by item<sup>1</sup> the matters which could safely be devolved upon such local assemblies, particularly in the light of the necessary and grim limitations upon their financial powers, will not find it easy to construct a case for the creation of legislatures intermediate between the local authorities and the national government; he will rather find that the position suggests a reconstruction of the areas of the former and the conference upon them of wider powers. It is tempting to think of a Scottish Parliament at Edinburgh setting out upon large experiments in national revivification; but sober common sense suggests that when the bills had to be paid the Scottish manufacturer would recall to his mind the fine prospect still opened up by the highroad to England.

On these grounds, therefore, I do not believe that the necessary revivification of authority can be secured

<sup>1</sup> As, for instance, in the *Report* of the Speaker's Conference on Devolution, 1919.

by any of the improvements in institutional forms that have been suggested. Nor, it should be added, are our difficulties made merely by the transfer of the centre of power from the legislature to the executive. The critics who suggest that a revival of the Victorian habits of parliamentary control will at once restore a new temper of energy to capitalist democracy<sup>1</sup> miss the real conditions of the problem. The cause of the decay of Parliament, its loss of authority to the cabinet, is not the cause, but the effect, of the present position. The type of legislation necessary in the modern state, the conditions which attach to its administration, would not be attainable if the cabinet were the mere instrument of the House of Commons instead of being, as now, the pivot of its organisation. To ask for the restoration of the classic epoch in which the private member was able deliberately to influence the character of policy is, in effect, to demand the restoration of a *laissez-faire* society. It is only when the activities of the state are small, and the range of possible choices it may make fairly large, that the House of Commons can be left a wide field of uncontrolled discretion. Once big social schemes have to be put upon the statute-book, it becomes inevitable that the cabinet should be the effective organ of decision.

The reason in fact that, in Maine's famous phrase, progress is secreted in the interstices of procedure is the quite simple one that the political spirit which secures expression can only do so by finding the forms suitable to the principles it proposes to affirm. The

<sup>1</sup> Cf. Ramsay Muir, *How Britain is Governed*.

communist insistence, for example, that the Soviet form of government is a higher type than the parliamentary mistakes means for ends. The Soviet form has proved more suitable in Russia than the parliamentary, not because the one was inherently better than the other, but simply because, in the peculiar Russian circumstances, the Soviet lent itself most easily to communist domination. Had the Soviet refused access to communist principles no one can doubt that the Bolsheviks, once power was in their hands, would have devised forms more suitable to their purpose. So also, be it noted, with Mussolini. What he has done with Italian parliamentarism is so to alter its configuration as to render it the assured and docile instrument of the end the Fascist Party is seeking to attain. So, again, the various forms of constitution in the history of the French Revolution are the record of an effort by successive parties which seized supreme power to find the methods through which the principles they served could most easily secure translation into the event.

The decisions of authority, in fact, never secure universal consent. What happens in periods of equilibrium is the sense among those to whom they apply that, for one reason or another, the difference they will make is not worth fighting about. The decision to repeal the Corn Laws aroused widespread indignation; but the men who resented it felt that its acceptance was preferable to the alternative of revolution. The art of government almost wholly consists in the successful preservation of this temper. It involves



conditions of two kinds. Either the society must be so independent of government activity that the habits of authority make little difference to its essence, or those habits must express a will that can operate without the prospect of challenge to its power. It is in the second of these situations that we find ourselves; and the mood which government confronts is one in which those who challenge it seek, above all, the formula of fundamental change. For what they dissent from is not the fact of power, but the objects to which its exercise is devoted.

Here we reach the vital problem in a capitalist democracy which is built upon constitutional principle. Formally, at least, it builds itself upon the principle of majority-rule; and it is the main argument of its defenders that the system offers to its opponents the prospect of obtaining power at any moment when that majority is on their side. Revolution, it is therefore argued, is wholly out of place in such a society. It seeks, quite illegitimately, to achieve by violent methods what the system makes possible by peaceful persuasion. The right of a minority is not the forcible seizure of power; it is the proof by argument and discussion that the way of life it recommends has justice on its side. Its opponents are reasonable men. It is afforded the opportunity of making its case known. It has at its disposal the whole arsenal of propaganda whereby to effect those changes in opinion which alter the source of authority. To proceed, in fact, upon any other assumption is to make power a function, not of the hold reason can secure over the minds of men, but

of the force at the disposal of some given set of beliefs. In such a condition, freedom ceases to have any meaning. Justice simply becomes the rule of the strong. Government becomes founded, not upon principle, but upon the right of the stronger to do what they will with their strength. And since the right of the stronger is, by very definition, a right unconvincing to the defeated, the equilibrium attained by their victory is bound to be impermanent. Discretion replaces rule as the source of decision; and men who have shared in the exercise of authority will not accept a defeat of which the consequence is their exclusion from its benefits.

The argument is both attractive and powerful. It is clear enough that any governmental decisions which are built upon the assent of citizens are better than those which rely upon force for their application. It is clear, also, that any government which is compelled to exclude a section of its citizens from a share in authority will neglect their interest, and constrain them to acceptance of its will by methods which violate the decent habits of mankind. The massacres of the French Revolution, the hideous price paid for the establishment of the Fascist Régime, the cost in life and suffering of the Bolshevik experiment, need no emphasis from any humane mind. Once we accept the constitutional assumptions of a democratic society, their superiority to any possible alternative is manifest. Government by persuasion is invariably a more creative adventure than government by violence.

But the argument is not so simple as its superficial

appearance suggests. It is built, of course, upon the simple, but excessive, assumption that man is fundamentally a reasoning animal who accepts the conclusions of logic as these become apparent in the course of discussion. The history of government gives no ground for accepting the assumption as valid. Theories of social organisation for which no valid proof exists have been, and still are, urged by their inheritors with a simple faith in their validity which would be pathetic if it were not tragic. Any European can see that the Brahmin's assumption of a title to rights above those accorded to the outcast have no ground in nature itself; but he has no difficulty in making assumptions that are just as illogical. And he will cling to them as valid, will fight on their behalf with ecstasy, will bring to their support all the resources of intelligence and passion and imagination. Nearly every man of common sense is agreed that the settlement of international disputes by war is in opposition to all the best interests of mankind; but there is no state which may still hope to secure its ends, in the last analysis, by war which is not prepared to use violence to justify its title to those ends. No doubt it will wrap them up in the best of high-sounding phrases; it will speak of the claims of honour, the sanctity of treaties, the defence of civilisation, and so forth. But what, at bottom, it always really means is that there is something it wants passionately, and that it prefers to risk the hazards of war rather than trust to discussion to decide for its claim.

The relation of state to state in the international

field is only the best example of the powerlessness of reason to prevent the use of violence when interests conflict to which men attach ultimate importance. The battles of creeds, the struggles between capital and labour, the history of contacts between races, all of them illustrate the same general truth. Men only accept the results of reason when these do not deny some end they are determined to obtain. The history of the majority principle is, after all, the deposit of a long struggle during which its obvious simplicity was by no means accepted as self-evident. That *major et sanior pars* upon which, for example, medieval publicists laid so much emphasis was not assumed to have the right to prevail merely because numbers were on its side; it must contain also the support of the worthy and the eminent. It must not contradict divine or natural law; it may even, as with Bodin himself, have to accord with the fundamental law of the commonwealth. The right of the majority is always, even for its strictest advocates, limited by the notion that there are certain things which, by reason of their outrageous character, no majority has the right to attempt.

The most general way of stating the implications of all this is to say that the right of the majority to rule is subject always to the necessity that it does not outrage the feelings of the minority, for in that event the latter is tolerably certain to fight in defence of its position. Not only so certain; the very fact that it announces its sense that some given policy is outrageous, and that it will do battle against it, tends always to disintegrate the solidarity of the majority.

Men do not feel it to be wrong to fight decisions they believe to be intolerable, and they display in the conflict qualities of courage and devotion which make their punishment an extraordinarily difficult adventure for those who impose it. All obedience, therefore, to authority must be regarded as contingent at its margins; and it is yielded always upon the basis that it will be exacted for purposes which do not violate the conscience of any considerable body of citizens. We too easily forget how fragile a thing government is, and that it has never been possible to persuade men that the maintenance of order is, for its own sake, the highest good. There will always be an important section of opinion interested, not so much in order itself as in the kind of society that order makes.

We have to recognise, in fact, that the roots of law rest in the wills of men. These confer upon it the power to get itself applied not from the source out of which it emerges, but because of what it proposes to do. And if those who resist the law do so in the name of objects with which we ourselves sympathise, our own habit is always, without regard to the constitutionality of their action, either to justify it as natural, on the one hand, or to urge, if they are defeated, that the greatness of their purpose should entail minimal penalties, upon the other. It would not have been easy, in the England of the mid-Victorian period, to have found Englishmen willing to condemn the Italian revolutionaries. These Russian *émigrés* who sought, in the early years of the Soviet Government, its forcible overthrow, were heroes and martyrs to men who, like

Mr. Winston Churchill, were the convinced exponents of Conservative doctrine. There were few Irishmen in 1916 who did not have some degree of admiration for Padraic Pearse and James Connolly; there were fewer still who did not passionately resent their execution. For citizens, in a word, the government is what the government does; and if the latter is deeply resented, those who do resent it will strive, if they can, to prevent it from continuing as a government.

Let us realise that in any society, the ultimate principles upon which a government rests are to those who accept them in the nature of a religious faith; and their antithesis also is a religious faith to its upholders. It is not the character of religious faiths to accept their denial without struggle; militancy is always a quality inherent in those who believe they have found a way of salvation. To the economist it may seem incredible that Marxian socialism, "a doctrine so illogical and so dull,"<sup>1</sup> should have been able to raise its armies and go forth to battle; to the Marxian socialist the refusal to accept its patent truths is just as inexplicable. There is no phase in the history of religious ideas which cannot be paralleled in the history of social doctrines. Each has its zealots, its priests, its poets, its soldiers; each strives for conquest, and will die rather than surrender. With each, somehow or other, terms of accommodation have to be found.

That is not to say that persecution may not be successful. There is no greater error than the belief that it does not pay. But to make it successful, it must

<sup>1</sup> J. M. Keynes, *The End of Laissez-Faire* (1926), p. 34.

always be applied at the point where the new idea seems most outrageous to the adherents of the old, when the latter, that is, seems so obviously true that it is blasphemy to deny the truth. A new doctrine only makes its way when it responds to some wants, or satisfies some ideas, that have failed of response or satisfaction from the old faith. And at that stage persecution is rarely successful. The new doctrine, after a period of opposition, is either grafted on to the old, and thus alters it so as to widen its appeal, or is allowed to exist with the growing prospect, if it has substance in it, that it will ultimately replace its forerunner. No doubt the new doctrine also is altered by the process of adaptation from protest to victory, just as Christianity changed its principles between the Apostolic Age and the acceptance of Christianity, or as Bolshevism has undergone transformation from the minority creed of 1903 to its emergence as a state after 1917. But this has been, in general outline, the history of all victorious intellectual principles in the record of mankind.

If we apply to capitalist democracy the argument I have been making, its implications are sufficiently explicit. The tendencies we call socialism challenge capitalist assumptions in much the same way as Christianity challenged paganism some two thousand years ago. Socialism, like Christianity, has reached that stage where it cannot be suppressed by persecution, and has become militant in temper because the conditions of victory are within its grasp. It has, it should be insisted, all the characteristics of a great religion—its dogmas, its missionaries, its sects acutely

divided from one another, its priests, its fanatics, its martyrs. There was a stage when it seemed possible for capitalist society to make terms with its demands. Had the social service state emerged, most notably in England, a generation earlier—at the time, above all, when Carlyle was preaching the folly of *laissez-faire* industrialism—it might well have been that the adjustments could have been effected which would have permitted the old gospel to absorb the new. The liberalism, indeed, of T. H. Green and his school was nothing so much as an attempt to discover the foundations of such a compromise. But it was made too late. The wealth of capitalist society before the 'seventies had not been expended upon those social objects which were a necessity for it to assure itself against attack; and when it turned, after that period, to the effort of reconstruction, it had not the capacity for expansion which enabled it at once to maintain the standards of private expenditure to which it had accustomed its votaries and to satisfy the expectations of those influenced by its critics. As always happens in the history of such an effort, the concessions it made to these only led to further demands; and the votaries of the old way of life found that what was challenged was not merely the adequacy of concessions they could no longer afford, but the very principle which permitted them to be in a position to make concessions. What was attacked, in a word, was not the excrescences of capitalism, but the foundations upon which it rested.

And it is these foundations upon which capitalist democracy relies for the maintenance of its discipline.



It praises their value with none of the old power to carry conviction; indeed, as I have earlier insisted, it is not even confident of its power to carry conviction to itself. Every experiment it makes by way of accommodation breaks down. The more widely it extends the boundaries of citizenship—the experience of Rome is notable in this regard—the wider is the gap revealed in its defences. It admits its opponents to power; it finds that a brief experience of their policy threatens its fundamental equilibrium. Nor is experience in the industrial field at all different. Co-partnership, profit-sharing, the system of joint industrial councils, the Mond-Turner conferences—to speak of British effort alone—were all attempts, more or less sincerely made, to find immediate terms between a capitalist and a socialist society; they all illustrate the same truth that the doctrines in battle together are mutual and exclusive opposites between which there is no prospect of final adjustment. A society can no more make peace between the motives of private profit and public service than it can continue half-slave and half-free. There is absent from its foundations that area of common agreement about fundamentals which makes possible the unity needful for peace. Men think too differently who live so differently in such a commonwealth to know how the basis of accord can be found.

And this is seen the more intensely because the votaries of either way of life attach such intense significance to their rival creeds. To ask from the capitalist a peaceful abdication is like asking a pagan

Emperor to admit the intellectual compulsion of Christianity. He denies its principles; he feels none of its emotional sanctions. One has only to scrutinise the case made by the defenders of capitalist society against their critics to see how profoundly this is the case. For them, socialism is against human nature; it is the creed of the unsuccessful; it is the destruction of that freedom which is the arm of man's striving; it takes all the joy and colour from life in the interest of a dead and drab level of unromantic equality. All to which socialism appeals as the basis of its system of values is at variance with all that gives meaning to the quality of capitalist dogmas.

There cannot be discipline in such a society because the conditions upon which discipline depends are absent. We cannot over-estimate the importance of this situation. For outside a society that has no need of compulsions—and such a society we have not yet experienced—the need for discipline is vital if order and security are to be preserved. By discipline I mean a cheerful acceptance of law by reason of approval for the conditions the law is seeking to make. If law cannot, in any given equilibrium, achieve that discipline, the movement to a new plane of action where it again becomes possible of achievement is inevitable. That is why revolution supervenes in historic experience whenever the capacity to rule of some particular system of government has been exhausted. For that exhaustion simply implies that the conditions upon which the rulers can maintain the necessary discipline of the society are not acceptable to the ruled, or, at

least, unacceptable to such portion of the ruled as are prepared to make a bid for power.

It may be said that this is to exaggerate the position of the socialist parties outside of Russia. But is this the case? The assumption always must be the basic one that capitalist democracy can maintain itself not only as capitalist, but also as democratic. It must, that is, be able to do so without violating its constitutional conventions. The reason, it may be said, for its failure in discipline is the weakness of the will displayed by those who govern. Capitalist democracy displays an indecision, a vagueness, an uncertainty, before the issues it confronts which make it the self-creator of its difficulties. Were its rulers bold and determined, the indiscipline I have described would disappear.

The argument is not confirmed by experience. Those who are dissatisfied with the laxity they discern in our present conditions have, above all, the industrial position in mind. They resent the use of the strike because it interferes with continuity of production. They attack the level of taxation as a burden upon the competitive process which the hard-hit manufacturer should not be asked to bear. They think that our educational system is ill-adapted to the kind of human material of which industry has need. They denounce the refusal of the trade unions to accept, in their rules and regulations, the consequences of the new industrial technique. There was never, said a great employer some years ago,<sup>1</sup> a period in which

<sup>1</sup> House of Lords, July 7, 1924.

the capitalist made such eager overtures to labour and secured so small a response.

Yet those who demand "strong" government rarely explain the means of its attainment. No legislation would persuade the trade unions to surrender their right to strike; if this were suspended by law, men who saw no other means of attaining their objective would strike in despite of the law. The trade unions will only change their rules to secure alternative tangible benefits, compensation, for example, for displacement through rationalisation, which the employers are unwilling to concede. The burden of taxation can only be lowered by frankly abandoning all the assumptions of the social service state. Education conceived as its industrial critics conceive it would cease to be education in any sense which would fit its recipients to battle with life. To achieve any of these ends, their advocates must be willing to abandon the democratic assumption that consent has any place in the process of government. They would have to be ready forcibly to impose their will upon those who dissented from its substance, and they would find the number of dissentients far greater than their discussion makes it likely they can suppose.

There is, in fact, in a democracy no remedy for indiscipline save the discovery of the conditions under which the masses are contented. Where they are angry or disturbed, it may be possible, on occasion, and over a period, to suppress them by force; but force utilised for purposes they resent is incompatible with democratic assumptions. It merely creates grievance, and

this, where it is widespread, can have no other result than to place the opponents of grievance in power. The proponents of "strong" government might have their way in a Fascist society; they cannot have their way in one where discontent has left its normal methods of expression. No one seriously believes, for example, that the Trades Disputes Act of 1927 would prevent a general strike if the trade unions knew no other way of influencing policy. The strike might be prohibited by the remedies indicated in the Act. But neither the penalties threatened nor their actual imposition would prevent its occurrence. Law can only make itself felt as law when those who are affected by it are in general prepared to co-operate in its application.

This is not, of course, the case under the government of a dictatorship. But there the co-operation of the democratic system is not required. The dictators do not assume that their opponents may displace them, and they do not search for a policy which will placate their opposition. Capitalist democracy can make no such assumptions and remain democratic. Once its government assumes that attacks upon it need not deflect it from its purpose, it is bound to assume the habits of a dictatorship. There is no other way in which it is entitled to outrage the feelings of those who do not share in its views. And this, surely, is the universal lesson of historic experience. The habit of a revolution is always to subordinate means to ends. It seeks to create a new equilibrium by violently breaking the will of those who resist its emergence. It counts on creating a new discipline by assuming that, as those

wills are broken, co-operation will at length be secured from those who remain. It always seeks, by the definition of its objectives, to make the area of immediate co-operation maximal for the very reason of its awareness that government by the methods of dictatorship has only a short-term value. Sooner or later it must discover its foundations in the impalpable, but profound, support of public opinion.

On this hypothesis, the *malaise* of capitalist democracy is incurable while it remains capitalist, for the simple reason that it is against the conditions inherent in capitalism that men revolt. The system, that is, has lost the power to win assent to its hypotheses. Its leaders are trying to make laws which shall fulfil its postulates when it is exactly these that are denied. It can, indeed, not improbably make such laws if it is prepared to enforce them without regard to the consequences of enforcement; but it must then be prepared, first, to take the risk which always attends a government careless of its means, and, second, to abandon the conventions of its constitution. It may, indeed, be driven to both these adventures in order to preserve the essential features of capitalism; but, obviously, it could not then indulge the pretence that it was in any sense a democracy.

## II

Criticism of this indiscipline often proceeds upon a quite different ground. The technique of the great society, it is said, requires government by experts,

and the submission of its complicated issues to the decision of uninformed mass opinion is bound to result in catastrophe. Nor is this all. A democratic society destroys the great leader because it cannot be persuaded to surrender to him those ample margins of discretion in conduct upon which success in leadership demands. A democracy is always jealous, in fact, of men of strong individuality; it hates the superior man, and can only be persuaded to trust those who are made in its own image. That is why money plays so dominating a part in democracy; it is the one object of desire which can be universally understood. In an age, therefore, of which the complexity is so great that the considerations which decide policy cannot be understood by the multitude, in which, further, those who do understand them are suspect by reason of their superiority, either we must surrender the democratic principle, or we must be content with the government of relatively commonplace men.

The implications of these views are wide indeed, though it must be added that they do not touch the central problem involved. For if that central problem is the restoration of discipline in a democratic society, it is not a solution of it to argue that democracy is out of accord with the principles under which government must, under modern conditions, be conducted. Even with this limitation, the implications are, in fact, far less formidable than they appear. They rest, on the one hand, upon a confusion of ideas about the place of the expert in any governmental process; and, on the other, they attribute to the democratic system

vices which, even if they were true, are not attributable to its character.

An expert is a person who, in some special field of knowledge, has a technical competence not possessed by ordinary persons. He has the knowledge that is necessary to adjust means to ends. He can diagnose causes or predict results if certain postulates are made. An engineer can calculate the strength of materials required if a bridge is to bear some given load. A specialist in maternity welfare can indicate the steps it is desirable to take in order to reduce the death-rate in child-birth. An expert in naval armaments can state the thickness of armour-plate required to resist the entrance of projectiles hurled against it. A motor-engineer can devise a car most likely to avoid the danger of skidding on a greasy road-surface. In the great society, we could not for a day preserve its scale of living unless there were countless men and women applying their knowledge to the solution of these problems.

But the fundamental issues of society are not the kind of problem the expert is accustomed to handle. They require not specialisation so much as the power to co-ordinate. They involve judgments of value, predictions about psychological impact, which are the product not of expert technique, but of a certain divine common sense which has no necessary connection with it. It is, of course, true that common sense, even when divine, is helpless without the results of expert knowledge; but the converse proposition is even more important. For the vices of specialisation are of



an ultimate quality. There is always the danger that the specialist will over-emphasise the proportionate importance of his results to the total which has to be attained. Sailors can never be safely left in control of a naval department. Doctors have a dangerous tendency to see the population not as normal human beings, but as potential patients. Efficiency engineers very largely forget the psychological factor in their equations. Mr. F. W. Taylor's famous comparison<sup>1</sup> of a certain type of man with the unresisting ox omitted the unfortunate refusal of that type to remain permanently oxlike in character. The problems which the statesman has to decide are not, in the last analysis, problems upon which the specialism of the expert has any peculiar relevance.

They are problems of a general direction, of a decision of the order of importance of the objectives at which policy aims, of the probable effect upon opinion of making some particular decision. A naval expert's opinion upon the desirability of disarmament has no special value; his judgment upon the methods of attaining that end are vital. The chief medical officer, say of the Ministry of Health, may best be able to say how the school medical service can most usefully be improved; but no such significance attaches to his judgment upon whether better social results would be attached to such an expenditure than would attend the devotion of a similar sum to the extension of public library facilities. The expert economist may indicate the means necessary to obtain an increase in

<sup>1</sup> *Principles of Scientific Management*, p. 359.

the price-level; but, as an economist, his judgment has no special value upon the question of whether the social consequences of that increase are or are not desirable.

As soon, in fact, as the expert moves outside his special field there is no evidence, except the inherent value of his own conclusions, to suggest that they have any specially expert character about them. On the contrary, the evidence is rather that the very narrowness of his experience tends to limit his power to make significantly those broad judgments which statesmanship requires. He cannot easily see beyond the narrow boundaries of the special field he has cultivated because expertise is a function of intensity, and not breadth of vision. And we must not assume that expert conclusions, as such, have necessarily an objective character about them; that quality depends almost wholly on the nature of the material to which they refer. There is no real analogy, for instance, between the engineer's calculation of the load a bridge can bear and the conclusion of an Indian civil servant of long experience about the capacity of India for self-government. For the calculation, assuming its accuracy, is inherent in the materials themselves, and the same result would be achieved whoever made it. But conclusions about India are not a function of knowledge only; into them enter the manifold considerations which arise from the personal equation of the civilian. His conclusions emerge from his own temperament, his own half-conscious view of what should be the future of India, the special experience he has encountered, and so

forth. On the historical record, to attach to these the final validity of an objectively inescapable result is simply to court disaster.

For the conservatism of the specialist is a factor of grave social importance. It is significant that all the great Secretaries of War in England have been laymen, and that most of the failures in necessary adaptation have been due to the professional soldier's opposition to change. The same is true of the lawyer; the history of the medical profession, very notably in the case of Lister, reveals no other result. Whatever branch of expertise we choose to investigate, the power to receive new ideas appears to be a function, not of the specialist's knowledge, but of his temperament, and this appears to be outside scientific control. The attitude of Sedgwick and Owen to Darwin, the history of Mendel's discoveries, the refusal of Cauchy to see any significance in the work of Gallois, the hostility of Simpson to Lister, the famous demonstration of Newcomb, on the eve of Wright's first successful flight, that it was mathematically impossible to fly, the opposition encountered by Jenner, the ruthless enmity of the General Medical Council to the work of Sir Herbert Barker, are only random illustrations of the danger of leaving to the expert any final say about the significance of the results attained within his own field.

Historically, I think, the truth is that expertise in general is accorded a quite illegitimate social prestige by reason of the marvels of scientific discovery. The physicist, the mathematician, the chemist, the engineer have, in their own respective fields, attained results

so stupendous that we draw from them two inferences in fact quite illogical. The first is the inference that the knowledge of what to do about those results in their social application is a matter on which the scientist's judgment has necessarily a special value; the second is the inference that expertise in the field of human activity has the same objective finality as that in non-human. But the first inference breaks down because it is the patent experience of mankind that this special value in fact depends on the possession of qualities unrelated to the power of scientific discovery. Once outside his specialism, the physicist is not less than other men liable to the grossest errors of judgment. The second breaks down because the equations of human behaviour have variables so complex and so numerous that their resolution is not a matter of scientific formulae. We can predict the visitations of Halley's comet, or the behaviour of oxygen and hydrogen in combination, with a final precision until the end of time; we have no such assurance in any matters of social decision. We can say that intolerable government will always end in the long run in revolution; but we cannot tell what government will be considered intolerable by its subjects, nor what particular occasion is likely to produce an outbreak.

Perhaps the best illustration of the danger involved in the assumption that government by experts can solve any of the ultimate problems can be seen in the biological field. The geneticist has now at his disposal sufficient knowledge to produce a race of men on the average tall or short, blue-eyed or brown-eyed, even

with six fingers rather than with five. But if we ask him to produce a race of "fit" men, he has no answer to the problem of what "fitness" means. He can tell us of the dangers to society involved in breeding from stocks tainted by such hereditary and congenital defects as deaf-mutism, or haemophilia, or lobster-claw. But all his knowledge of "fitness" is limited to material, no doubt of real importance, of this type. Once we pass into the realm of psychical qualities, the problem is infinitely more complex.<sup>1</sup> "Fitness" then becomes a matter of knowing the circumstances of the society for which the race of men is to be produced. It becomes a matter also of measuring the influence of heredity against environment, a problem upon which, as yet, our knowledge is far smaller than our pretensions. Do we need to breed the same qualities for an urban as for an agrarian society? For a capitalist as for a socialist? Do we desire to breed habits of generosity rather than acquisitiveness, of courage rather than discretion, of general intelligence or special competence? But, again, can we define generosity or courage apart from the circumstances of a particular society? Are we to regard a man like Mr. Rockefeller as generous or acquisitive in character? Is it not obvious that no rational society would entrust to the geneticist any final power upon these questions?

One further point here is worth notice. Objection is always made to the transfer of authority to a new class in the state upon the ground of its unfitness to govern. Everyone knows Burke's contemptuous attacks

<sup>1</sup> Cf. Ginsberg, *Studies in Sociology*, Chaps. VII and X.

upon the petty attorneys and stewards and bailiffs of manors who ventured, without experience, to charge themselves with the destiny of France in 1789, and similar attacks have been made in our own time. Indeed, the main point of the case against the extension of the franchise has always been that those whom it is proposed to include within the ranks of citizenship lack the qualities it ought to involve. Yet the history of every revolution always reveals a mass of unsuspected talent for the business of government which compares at least favourably with what it replaces. The organisation of the revolutionary armies in France, the establishment of new states like Czecho-Slovakia and Ireland, the achievements, however much we may dissent from its principles, of the new Russia, make it evident that fitness for statesmanship is not confined to any special class in society. The new men show themselves equally capable with the old of utilising the necessary knowledge and persons; and they tend, from their special position, to display an interest in large-scale experiment which not seldom adds a new chapter to the art of governmental technique.

I conclude, in fact, that no society is likely, from the nature of its problems, to charge the expert with the definition of its ends, and that it will be definitely unwise if it does so. The kind of talent it increasingly requires is not that of the specialist, which is present in abundance, and is capable of rapid and large extension as a fairly simple problem in education, but the talent of the co-ordinator. His task is three-fold

in character. It is to define acceptable ends in terms of the means at our disposal; it is to know how to find and use men for those ends; and, not least, it is to be able so to present them to the multitude that they secure from it the maximum co-operation. Just as it has been found in the civil service of Great Britain that the scientific official is rarely—there are, of course exceptions—the best head of a department, so I think it unlikely that the expert will be found to be the best member of a government. He is essential to the making of a decision; he has rarely the type of mind which is most likely to be successful in actually deciding. He does not see the issue in its total proportions from the very intensity with which he is immersed in one aspect of it. He is not necessarily skilled in the art of securing support for his policy. He finds it difficult to appreciate the psychological adjustments out of which co-operation is born. Not least, his values have no special title to predominate merely because he is expert in some particular field. I see no reason to suppose that the replacement of the average politician produced by the parliamentary system by a class of experts is likely to strengthen the discipline of society. On the contrary, I believe it much more likely that the latter will be so out of touch with those they rule, so little able to adjust their demands to public sentiment, as to provoke a wider dissent from that which we now face. The source of authority will not be refreshed merely because the technician has charge of social destiny. It will still remain a question of the ends for which authority is used, and, in the long run, those ends cannot be

imposed without public co-operation in their definition.

Nor, as I think, can it be seriously argued that democracy as such reduces the basis of authority to actions built upon the impulse of acquisitiveness. It is true enough that in Western civilisation it is rare to attach distinction to any calling which is not marked by the access it offers to wealth. It is true also that in periods of aristocratic governance the possession of wealth is much more an accessory than a principal motive to action; the men we remember before the French Revolution did not make their mark merely by reason of their ability to accumulate a fortune. On the contrary, in an aristocratic society the function of the rich is to govern; and the period when the acquisition or possession of wealth has been dissociated from government has always been the period at which the power of an aristocracy has begun to decline. But in a capitalist democracy two things are notable. The commercial career is always held in the highest estimation, and it is rare for the man of commerce to be concerned with the direct function of political control. This has the curious consequence, most notable, perhaps, in America, that a wealthy and highly regarded class arises which does not know what to do with its leisure. Having rarely been trained to think in terms where the money relation is not the dominating motive of effort, it concentrates that leisure upon efforts which are themselves capable of achievement by expenditure. It has no other way of making itself conspicuous; and since wealth is essentially the



power to influence demand, since, moreover, the habits of a wealthy class always set the temper of any society it dominates, it is inevitable that its way of life should determine the ambitions of the less fortunate members of the state.

A good illustration of this tendency is afforded by what we are told<sup>1</sup> of Sir Ernest Cassel, one of the great millionaires of the Edwardian epoch in England. He bought great pictures, though he did not know the work of one artist from another. He collected valuable *objets d'art*, though he could barely distinguish a bronze from a porcelain. He leased a great estate for shooting, though he found no pleasure in such sport. He endowed hospitals and universities, though he was uninterested in either. These, says his chronicler, were the things to which a millionaire was supposed to devote his wealth; and Sir Ernest Cassel asked nothing from the things to which he devoted his leisure save that they should be costly. It is a temper more widespread than we care to admit, and its influence is subtly pervasive through every rank and class in society. For it means that things are valued not for what they are in themselves, but for the wealth they represent; and their possession becomes no longer a mark either of taste or of interest, but simply an index to the attainment of a certain level of income. When even the habits of generosity can be built, not on an inner impulse which finds joy in giving, but upon a calculated ostentation deemed suitably proportionate to a certain financial status, it is difficult not to feel

<sup>1</sup> Mr. E. F. Benson, *Sunday Times*, August 21, 1932.

that there is a spiritual cancer at the very heart of the society involved.

That is why Tocqueville, who himself saw the first age of capitalist democracy, was so insistent upon the danger to civilisation of a ruling class which has lost its definite governmental function. "Nothing is more wretchedly corrupt," he wrote,<sup>1</sup> "than an aristocracy which has retained its wealth when it has lost its power, and which still enjoys a vast deal of leisure after it is reduced to mere vulgar pastimes. The energetic passions and great conceptions which heretofore animated it then desert it, and nothing remains to it but a host of petty consuming vices, which cling about it like worms upon a carcass." Here, as I think, is the root of that supposed inadequacy of standards in a democracy to which its indiscipline is referred. When wealth is the supreme object of ambition, standards are bound to suffer degradation. When the men who attain predominance do not achieve it by reason of their service to the public, but because of their success in getting money, there is no ethical reason why they should become or remain objects of public admiration. They will be hated or envied; it is rare, indeed, that they are revered. That is not all. Once the making of money is itself regarded as a service to the state, it is inevitable that the status of all other careers should be adjusted to that relation. It is immediately and universally intelligible. It offers the most direct of all highroads to power. It is an absorbing preoccupation, as the history of the great American fortunes makes

<sup>1</sup> *Democracy in America*, Part II, Bk. III, Chap. XI.

tragically evident, and it colours all other values with its own. The indiscipline of capitalist democracy, in fact, is not due to its democratic but to its capitalist element.

For it is by that standard that all things come to be tested. By a great writer we mean a successful writer, which, in turn, becomes the writer who makes a large income. By a great churchman we usually mean a bishop, and his position requires that he should live in the conditions of a really successful business man. Any bishop who turns away from such a demand, like Bishop Gore of Oxford, is at once unofficially canonised as a saint. Art, the theatre, music, education, all become permeated by this commercialisation. It is able to create a discipline which preserves its authority so long as it characterises an increasingly successful régime, for its members are then always hopeful that they, or their children, will share in the favours of fortune. But as soon as capitalism ceases to expand, the hollowness of its standards becomes obvious. Men do not become jealous of the successful, they simply see that their success has no public context. They do not resent the men of strong individuality, they simply become sceptical of the relation of that quality to the public good.

We may, indeed, argue of our own day that success which has a public context was never so little envied, and men of strong individuality who regarded their powers as a public trust were never so highly regarded. The great man of letters, the great scientist, the great musician, attain to-day a wide recognition hardly

known to previous ages. The great state-builder, Masaryk or Lenin, has a hold upon his public rarely rendered to such architects in the past. What is regarded with suspicion is the success of which the public context is not obvious. Society is not prepared to pay the price of another race of Vanderbilts or Rockefellers simply because grim experience has taught it to deny the values they create by their dubious careers. Anyone who has worked in the movements to which the labouring classes have given birth will find in his experience of them a sense of trust, an instant generosity, a willingness to follow the big lead, which are remarkable in their intensity. The trouble with a democratic society is not its inability to create standards, but its association with a predominant motive out of which no permanent standards can be born.

There is endless proof of all this. Everyone who has associated with the working classes knows their remarkable generosity to one another. The heroism which accompanies the daily operation of industry, that, for instance, invariably displayed in a mining accident, needs no extensive illustration. But perhaps even more remarkable is the history of the Labour movement itself. Anyone who studies the epic struggle, for example, of Keir Hardie to establish the miners' union in Lanarkshire; or who realises the unending sacrifice of countless humble men and women to build up the Co-operative movement; or who reflects that, in Great Britain, only the Labour Party can rely on wholly voluntary workers for the greater part of its effort—begins to realise that within the categories of a capi-

alist society can be discerned the foundations of a new morality, could it but find the opportunity of predominant expression. Even those who dissent from the methods and purposes of the General Strike of 1926 can hardly help but admit that it embodied a magnificent and generous solidarity. For millions of those involved in it had everything to lose and nothing to gain by their action. They knew they might lose the employment on which they depended for their livelihood. They were grimly aware of the danger of probable defeat. They counted these things as nothing beside their sense that the British mine-owners and the government were treating the miners unjustly. For ten days they held firm, amid an atmosphere of threat and provocation, with hardly an infraction upon the demands of the law. Their quietness, their good humour, the intensity of their loyalty to their unions, were, it was universally admitted, a unique spectacle. I find it difficult to accept the hypothesis that people capable of this achievement are incapable, in democratic terms, of the discipline by which a society is held together.

What, in short, begins as an attack upon democracy, ends, when it is analysed, as an attack upon the values to which the principle of democracy is subordinated. That principle, in essence, is a simple one. It is the assertion that men and women have an equal claim upon the common good; that, therefore, no social order can for long endure in which that principle is inherently denied. For the denial, sooner or later, involves the society in contradictions of which the

result is necessarily an attack upon its foundations. It loses stability because it cannot justify the consequences of its operation upon the terms which have produced those contradictions. Its privileges cease to seem natural. Its values no longer commend themselves. Its logic fails to seem the dictates of irresistible nature. It comes to be examined as an historic process, and it is observed that it was the outcome of a special set of conditions which no longer obtain. The demand is made for a revision of its essence, and its capacity to survive becomes a function of its ability to respond to the new demands made upon it.

The question, that is, we have to answer is not whether democracy will survive, but whether capitalist democracy will survive, for that is the system which is attacked. For the masses, I believe, it is not attacked because it is regarded as inherently wrong, though that is the main motive of its outstanding critics; it is attacked because it is unsuccessful. The results it can now secure do not justify the claims made upon its behalf. And a social order that is in decay is like a beleaguered city, every place in its defences appears a contingent point of attack. It is challenged because every differentiation of treatment that is revealed is no longer capable of defence on the ground that it adds to its success. Men did not resent the immense fortunes of the early industrial magnates because they felt the exhilaration of conditions where so many seemed to have hope of wealth also. But when these, too, had become a settled and privileged aristocracy, which had to guard its treasure with the same

passion as the old, it was no longer the object of confidence. Because, too, it had shaped all the principles and institutions of the society to its needs, it was entirely natural that the same suspicion should attach to them as was cast upon their makers. Discipline goes into the melting-pot because the authority from which it is derived has lost its energising principle.

That can, I think, be seen from one simple illustration. The two outstanding characteristics of revolutionary psychology are exhilaration and self-confidence; the main qualities of an epoch which represents the end of some social order are scepticism and pessimism. The reason for this contrast is an obvious one. With a revolution, the room for experiment is ample; the prospect of creativeness is therefore ample also. The basis of vested interest has gone; tradition is at a discount. The pulse of new ideas which have been refused admission to the old order is set wildly beating in the new. But in an old order the thing most deeply felt is its limitations. It has become so hardened in its essential outlines that their adaptation to novelty is always a difficult, and sometimes an impossible, matter. It cannot move forward upon a wide front because it cannot, consistently with itself, violate its tradition or disappoint the claims of the vested interests it has created. It becomes sceptical because on the one hand it is dubious of itself, while on the other it has no confidence in the novelties proposed. Principles alien from an established order always seem either wicked or Utopian to its defenders. It is also pessimistic, for it does not know how to rediscover the sources which

once gave it self-confidence. The cement of success has gone, and it is uneasily aware that the main problems which confront it are the character and the rate of its decline.

When, therefore, indiscipline emerges in a people, I believe it to be due, not to inherent defects of its character, but to conditions external to it. The revolt of the masses is a perfectly intelligible phenomenon. The results it was led to expect from the discipline it accepted have not followed from its imposition in a continuous and orderly way. It is no effective answer to its demands to insist—as there is ground for insisting—that its position represents a solid improvement upon anything that it has known in the past. The issue does not present itself in that way. Its roots are far more spiritual than material in character. The French people had probably improved their material position in the years just before the Revolution, but that improvement only made them resent the more profoundly their exclusion from the privileges the aristocracy enjoyed. The present ownership of economic power, and its kindred divorce from public responsibility, acts upon the masses in a similar way. The more real their access to the good life, the more they resent the barriers which remain in their path; and if these are stoutly defended, the pressure against them only becomes proportionately the more keen. The business of any social order which encounters this temper is to reform itself, for the alternative is inevitably the kind of festering resentment at its inadequacies which, if unappeased, issues into revolution.



The criticism of democracy, then, which is built upon the assumption of either its intellectual or moral inadequacy for its task, seems to me beside the point, for it does not answer the most elementary questions to which it needs to address itself. The test proposed is the ability to maintain a discipline, and it is argued that this can be achieved only by leaders who recognise the best in civilisation and impose it upon the multitude. But this is a question-begging analysis in the highest degree. In whose interest is the discipline to be maintained? Who are the leaders who recognise the "best" in civilisation? How are they to succeed in the task of imposition? The present weakness of discipline is due, as I have argued, to the fact that men no longer accept the values it was conceived to support. If those values are the best, the antithesis between the governors and the multitude is so great that the restoration of discipline to the plane of the old equilibrium is impossible except by force; and its imposition in those terms may conceivably preserve capitalism, but it must necessarily cease to be democratic. If, on the other hand, the recognition of the best implies the discovery of values different from those of capitalist civilisation, and their imposition, the experience of Russia shows us pretty clearly what is involved in that adventure. To transform the system of valuation in any society involves either a fairly universal admission of its necessity or else the frank abandonment of consent as the basis of change.

The implications of that alternative are important. If the change is to be built upon consent, it assumes the

possibility of co-operation by capitalists in their own erosion. That is an immense hypothesis of which, for the moment, it is only necessary to say that it envisages something entirely new in historic experience. It may be right, but there is little in the past to justify the expectation that it is right. If the change is to be built upon force, then, clearly enough, for any period in which force is the technique upon which the governors mainly rely the ideal of democracy is abandoned. The rulers cease to be dependent upon the will of the people so far as this can be made known by any constitutional process. They select themselves to govern, and they do so because they judge the end they have in view more important than the consideration of the means by which they attain it and continue its imposition after they have attained power. Quite obviously, as in Soviet Russia, both discipline and authority emerge from the new conditions; but quite certainly, also, it is neither the discipline nor the authority that the defenders of capitalist democracy have in mind.

### III

The dilemma I have been describing awakens deep resentment among liberal minds. The assumption that a change in the basic character of a social order seems unlikely of accomplishment without violence is a challenge to two convictions which lie at the very heart of the liberal temper. It seems to deny the primacy of reason as a method of resolving social

differences, and it visualises an atmosphere in which liberty as the expression of a constitutional system is deliberately put aside in the period of consolidation.

I do not myself doubt that all solutions which are the outcome of rational discussion are the best solutions ; I only doubt the prospect of maintaining the temper in which they can emerge. What is historically notable in all periods like our own is the way in which men of strong conviction, on either side, are unprepared to trust in reason as the arbiter of difference. That is seen, I think, in the decline of tolerance in the post-war years. Men have become so passionate about the ends they seek that they pardon the means taken to achieve them so long as they are in agreement with those ends. The Conservative Party in Great Britain, big business in America, displays a fierce indignation towards the methods by which the Soviet system has consolidated its authority, but they display a singular lenity towards the use of those same methods by Mussolini because they approve the purpose he is serving. So, similarly, the British Labour Party, even while it is opposed to communist method, has been unable to avoid a certain sympathy for the Russian experiment ; but its hatred of Fascism has been thoroughgoing and profound. Nothing is more notable in the United States than the widespread belief among the business interest that, even though Mooney be not guilty of the offence for which he has been convicted, he should yet be kept in prison as a dangerous person. The attitude of Hitler's supporters to the Jews of Germany is unspeakably vile ; but if the Jews trusted

to reason only for the defence of their lives their chance of survival would be relatively small. For the temper in which they are attacked is inherently unamenable to rational discussion. And these, of course, are merely random illustrations of a difficulty which extends over the widest field of social relations.

Historically, I suggest, periods in which reason is the accepted basis of social decisions are marked by certain quite definite features. They are ages in which political stability is assured on the one hand, and economic expansion is steadily continuous on the other. The psychological results of this coincidence are to make an atmosphere in which reasonableness has its opportunity. Political stability renders unnecessary the discussion of those questions in which the conventions of the constitution become strained; while economic expansion implies the possibility of satisfying without resentment the demand for greater material comfort. Immediately one of these features is absent, rationalism is at a discount in the society; for men's passions at once become engaged when their deepest convictions are called into question. Anyone who compares, for instance, the calm common sense of Burke's attitude to the American War of Independence with his wild indignation at the French Revolution will see at once the difference in temper which emerges once political stability is shaken. So similarly, the world in general welcomed the March Revolution in Russia because it appeared likely to establish the system of habits which was thoroughly accepted in Western countries; but it grew almost

hysterically angry over the November Revolution because the basis of that system was then attacked. To maintain an atmosphere in which reason can prevail it appears essential that the character of change shall permit so slow an adjustment of predominant habits as not to provoke a sense of outrage. Men only agree to disagree when nothing that they regard as vital is the price of disagreement.

One further point in this connection is fundamental. Differences over non-material things may arouse swift passions, but these are rarely enduring; the mob may, as in 1751, go wild over the reform of the calendar, but it forgets its indignation within a week. Even religious differences seem to permit of permanent accommodation; when the price of religious conflict becomes too high, the material value of toleration rapidly becomes obvious to the contestants. But this is not the case with material possessions. "The only durable source of faction," wrote Madison,<sup>1</sup> "is property"; and over the rights that are to attach to it there is no sacrifice that men are not prepared to make. We have only to read the literature produced in the Southern States after the invention of the cotton-gin; the attacks on trade unionism from the 'thirties to the 'seventies of last century as contrary to the "laws" of political economy; the explanations of how a system of unemployment insurance must necessarily subvert the sense of individual responsibility; or the history of the state regulation of the hours of labour—to see that, on each great economic

<sup>1</sup> *The Federalist*, No. 10.

issue in which the rights of property are involved the instruments of reason are attuned to the service of desire. No one can, I think, doubt that men like Bright were wholly sincere in their hostility to the Factory Acts; but they were so blinded by their eager preference for a system of free contract that they could not see its rational limitations. Whenever passions of this intensity are engaged in conflict—and no passions are so intense as those which accumulate about the idea of property—reason is always unable to effect an entrance.

Our age is one in which the rights of property are in process of rapid re-definition. Sometimes that re-definition is being effected by those impalpable forces which have, so far, eluded human control; the inflation crises of the post-war years are perhaps the most dramatic illustrations of this type. Sometimes it is effected by the deliberate will of men; and, though the Russian Revolution is the most striking example we know of this re-definition, things like the forcible conversion of the Australian National Debt to a lower rate of interest, and the similar, but quasi-voluntary, conversion carried out in the summer of 1932 by Great Britain, show that the process admits of every variety of degree in its incidence. What appears tolerably certain is that if the re-definition is rapid and confiscatory in character, its invasion of settled habits destroys the power of reason over men's minds; and, if they cannot have their way by argument, they will seek to have it by violence. And neither rapidity nor confiscation is an idea to which precision can be

attached; its definition is always a function of the special circumstances of some peculiar time and place. One would have imagined that the slave-owners of the South would have realised the inevitability of their defeat a generation before it occurred, and have prepared for their adjustment to a set of new conditions; but they would not admit that inevitability, and they preferred to fight for a system in which they believed rather than surrender the material values it represented.

In conflicts over the rights of property, moreover, there is always one factor which operates with special force, and that special force, it should be added, is peculiarly intense in a capitalist civilisation. The parties to the dispute do not trust each other's *bona-fides*. As in a war between nations, each doubts the good will of its opponent. A conflict over the property-relation is always a battle of an ultimate kind because its consequence, when it is deceived, permanently alters the way of life of the society. It is not unintelligible that this should be the case. The Russian Revolution presented to the aristocrat the choice between a poverty to which he was wholly unaccustomed and a world in which the labour of others was the instrument of his comfort. He was asked to exchange leisure, with all its prospect of agreeable experience, for work, with all its certainty of exacting toil. Where he had been wont to command, he was not only expected to obey, but he was to obey those whom, as it must have seemed but an instant before, he was himself trained to regard as the enemies of the commonwealth. In the

contest between capital and labour something of the same psychology can be discerned. The effort of labour is always towards a regulation of the arbitrary discretion inherent in the position of the capitalist. Its material well-being depends upon its ability to invade the functions which the latter is peculiarly inclined to regard as his own. And since the more it can impinge upon those functions, the smaller the margin of profit upon which the capitalist can rely, the more bitter is likely to be the struggle as it moves from the circumference to the centre of the field.

Where these conflicts occur in a capitalist democracy there are special conditions which lead to its exacerbation. In an aristocratic society the relation between master and servant is one of status in which each has an habitual and somewhat precisely defined position; the feudal lord always expects to be a feudal lord; the villain cannot conceive of himself as other than a villain. In such a society, moreover, the relation is, no doubt, one of command and subordination; but it is a personal one of which the outline is continually softened by the ties of common experience. So the landlord in an agrarian society is often linked indissolubly to his tenants because the latter seem to him as it were a secondary part of himself. But in a capitalist democracy all this is changed. The relation of subordination is made by contract. Outside its terms, the servant is a person at least in theory not less free than his master. He is equally a citizen, and he is bound to resent any effort on his master's part to interfere with the expression of his citizenship. And since the scale



of modern industrialism makes the relation between master and man increasingly impersonal in character, the ties of an earlier period are growing rarely and ever less deeply felt. The long periods of domestic or industrial service that were commonplace half a century ago are to-day news for annotation in the press; the modern worker is accustomed to change his employment almost wholly upon the basis of a monetary improvement in his conditions.

Not only is this the case. Because the condition of the servant is contractual, it is a matter of legal convention, and legal conventions are within the sphere of control of the political democracy in which the workers are the most numerous class. They are thus constantly urged by the logic of their position to use their political authority to alter the terms of the contract to their own advantage. How should they not do so? The very basis of a democratic society is the denial of privilege in the name of equality. When the differences between men arise out of the wealth possessed by the few, the alteration of that condition is an obvious object of public desire. Nothing else seems to interpose the distance which exists between the classes in society. They are declared equal before the law. They are theoretically equal in politics. Their inequality is a social and economic subordination which arises out of the different levels of income. The perception of the impact of this inequality upon the society's way of life cannot be obscured without destroying the democratic character of its fabric. The servant is taught by the whole character of the

régime that he is equally entitled with his master to a claim upon the benefits it affords. He finds that the private ownership of economic power stands in the way of his attaining this equality in fact. For him to accept as legitimate the public ownership of that to which difference in benefit is obviously traceable is the natural outcome of his position.

It is tempting, no doubt, to seek to evade this conclusion by arguing that, even in a democracy, the relation of master and servant is one of friendship, and that the interest of the latter cannot be divorced from the profit of the former. Such friendship may, indeed, be frequent; proportionately, of course, it is infinitesimal to the scale of modern industrial operations. The employee of the great modern concern does not know his master at all, and may often enough never even have seen him. Between the two there is interposed a hierarchy of officials which gives to the master's commands an impersonality which does not encourage the normal atmosphere of loyalty. One has only to consider the evidence collected about happiness in work to see how thin is the effort to build a common interest upon this relation.<sup>1</sup>

There is, of course, a real sense in which the interest of the worker is bound up with that of the master by whom he is employed. If the latter fails in his business, the employee must find a new post; if profits fall, the chances are overwhelming that the master will first

<sup>1</sup> Cf. Graham Wallas, *The Great Society*, Chap. XIII. It is notable that even in quasi-public corporations, like the railways, the loyalty of the worker goes to his union rather than the company.

seek to maintain himself by cutting down wages or dispensing with surplus labour. Clearly, also, the more prosperous the concern, the greater is the security of the workers whom it employs. But the evidence, again, is ample that from so narrow a common interest as this no permanent solidarity develops. Firms like the Cheeryble Brothers no doubt still exist, and occasional Tim Linkinwaters can still be found who cannot conceive of existence outside the establishment to which they have devoted their life. But the general rule is the simple one that every period of prosperity leads to a struggle for an improvement in the workers' conditions, and every attempt, in a period of depression, to economise at their cost is stoutly resisted. The relation between capital and labour is always one of war, open or veiled; for in an acquisitive society, where the fundamental motive of behaviour is profit, men are bound to struggle for the fruits of acquisition. How should it be otherwise when the law itself declares that there is no permanent inferiority, save that of convention, between master and servant? Or when law is continually reinforced by the political experience of the democracy which instructs it that it is entitled to utilise its political power to redress the economic weakness of its position?

My point is the simple one that in a capitalist democracy the impact upon opinion of political equality deprives the subordination of the servant to the master of its penumbra of moral compulsion. It does so because it heightens the contrast between the different relations in which the servant finds himself. In his

political context he is encouraged to think of himself as a free man, able and entitled to use his power for the ends of which he may approve; and he has the experience, at electoral periods, of feeling that his decisions determine the direction of the commonwealth. But in the industrial relation there is no such atmosphere. The master asks from his servant simply the maximum output he can achieve. He wants, no doubt, honesty, exactitude, loyalty, skill; but the first necessity is obedience to rules made by the master for his own profit in which consultation with the worker is, at best, interstitial. In the one case he is a man living in an atmosphere which emphasises the inherent dignity of his personality; in the other he is the subject of a routine imposed from without which he cannot question without risking his livelihood. How can the worker help contrasting the constitutional basis upon which political decisions are made, the care with which the interests affected are consulted, the desire to minimise their opposition, the adjustments made to secure their good will, with the autocratic basis upon which economic decisions are made? How, even, can he help contrasting the conditions of public employment, a general security of tenure, reasonable hours of labour, vacations with pay, superannuation, that approximation to some constitutional basis which the Whitley system affords, with the far more rigorous conditions of private employment? Is it not, once more, inevitable that he should draw from these contrasts the inference that the public ownership of the means of production is the

direct high-road to an improvement of his economic status in society?

And it is worth while noting that a constant feature of capitalist democracy has a direct bearing upon the psychology implicit in its operation. Every important conflict between capital and labour increasingly involves the intervention of the government. The latter is no longer permitted the rôle of passive spectator; it is expected to attempt, as best it may, the provision of means of accommodation. The expectation is built upon two grounds. If the service involved is an important one, its dislocation inflicts a general injury upon the public, and this works to the detriment of the government in office even when the latter has no responsibility for the breakdown. If the claim made by the workmen is one which public opinion is persuaded to support, its defeat may easily produce deep resentment which is reflected in a subsequent verdict at the polls; there can be little doubt that the way in which the British cabinet handled the coal dispute of 1926 was one of the chief causes of the Labour victory in 1929. Perhaps nothing indicates quite so strongly the degree to which the popular mind has abandoned the dogmas of *laissez-faire* as this attitude.

It may be argued that, taken in conjunction with the general character of modern legislation, it illustrates one of the typical diseases of modern democracy, the replacement of individual by corporate responsibility; and there are critics who have dilated with some emphasis upon this view. It is, indeed, not improbable

that there is some truth in the criticism, though the result of the process is, as I think, less important than its causes. These spring from the very scale of our civilisation. The individual who seeks to effect public action by his own conduct is attempting an impossible adventure. He is bound to be less important because his power is so much less than it was in former ages. The individual workman cannot affect the rate of his wage or the length of his working-day; collective bargaining is forced on him by the circumstances of his position. And as soon as this is realised, it is obvious that its implication, in all matters of vital concern, is twofold. On the one hand it suggests the desirability of uniform conditions, on the other it suggests the centralisation of authority in order to effect those conditions of uniformity. Material diversity is essentially an aristocratic conception; we could not conceive, for example, that cities should be endowed in our time with the specially chartered privileges of the middle age. And once material diversity is attacked, it is inevitable that the state should be envisaged as the proper instrument of its erosion. Each man sees his own interests protected by the generality of its pronouncements. He presses for the sacrifice of uniqueness for identity. He sees in a common dependence upon the law a means of protection against the inequalities he encounters. That is why universal suffrage has meant the constant expansion of the functions of the state. It has enabled things to be achieved for the individual by the exercise of a corporate faculty of compulsion which are unattainable when they

remain in the sphere of private and voluntary initiative.

And this explains, I think, why the critics of democracy see in its habits a diminution of interest in liberty and a corresponding emphasis upon the importance of equality. The liberty of capitalist democracy is essentially an aristocratic conception. It is an attempt to deny the right of government to invade certain spheres of behaviour in which the dominant members of the society wish to be left alone. Upon analysis, it is always capable of resolution into a system of liberties; and each of these, on investigation, will be found to be permeated by the predominant character of the society involved. The nineteenth-century capitalist, for instance, believed in freedom of contract because, upon that basis, he could pursue unhampered the fruits of his industrial initiative; he never saw impartially the relation of such freedom to his possession of economic advantage. Yet it was obvious enough that, in a wage-bargain with an individual workman, he was in a position of special privilege; he could always find another applicant for the job he offered, while the workman could not find another master to employ him with the same facility. Most people will admit the desirability of freedom of speech, but there is usually the unstated assumption in the admission that freedom of speech shall not mean that type of seditious utterance which denies the fundamental beliefs of the society. Men do not go to jail in England or America for insisting on the virtues of a Fascist system, because a Fascist system is com-

patible with capitalist principles; but countless men have gone to jail in both countries for their belief in communism. There is in every society a body of fundamental principles the rulers will not suffer to be challenged, and the idea of liberty must always be read in the context that it does not offer freedom to violate them.

The reason is the simple one that men in the commonwealth are not establishing abstract propositions for the sake of their inherent beauty, but for the substantial advantages they offer to themselves. *Detur digniori* is, as Algernon Sidney said, the surrounding penumbra of all political action, and each class in the state which comes to rule will be convinced of its own worthiness. When, therefore, it confers liberty upon another class, it is always upon the assumption that its own predominance does not suffer challenge. The makers of capitalist democracy were prepared to grant universal suffrage, but it was upon the understanding that the franchise did not involve legislation destructive of capitalism. Our habits of tolerance halt upon the threshold of ultimate contradiction.

It is, indeed, historically notable that men are rarely prepared to push their principles to a logical conclusion when these deny some end they seek to attain. The political philosophy of Milton is a good example of this truth. So long as he was defending the execution of Charles I he boldly defends the principle of popular sovereignty, a principle which should issue in an acceptance of democratic government. But Milton was also for the Army against the Parliament, and he



accepts the right of the former to enforce its decision on the ground that it had "by arms saved the Commonwealth which the Great Council had almost damned by their votes." He meant, in a word, as Filmer acutely saw, by the "people" its "best principled part," and by that, in turn, he meant the part which agreed with the policy of which he approved. It was upon that ground that, in his last grim tract, the free commonwealth is dissolved into a narrow tyranny, for there is no other way, as he thinks, of securing the system of government he desires.

Milton, of course, is not unique in this contradiction. Most men who have demanded liberty have had some particular objective in view, and it is liberty for this objective and not a general liberty they have sought. Nothing, perhaps, shows this more clearly than the history of religious toleration; there is hardly a sect which has won its freedom that has not begun, if it occupied a position of authority, to persecute in its turn. There is no *a priori* reason to suppose that capitalist societies should form an exception to this general rule. Their ethos is in an effort to maximise material well-being for the owners of capital; their liberty means that restraints will not, so far as possible, be laid upon the conditions of that maximisation. When those conditions are threatened it is as natural for capitalists to persecute as for a church to attack the heretic who blasphemes its foundations.

The association of a general philosophy of liberty with capitalist democracy is, indeed, due to the special circumstance that when men are protesting against a

social order whose restraints they dislike, they give to their protest the widest possible general foundation. They attack the Crown, for instance, in the name of the people, just as Milton did; and when its prerogatives have come under their control, those who possess them use them for purposes which seem not less maleficent than formerly to those excluded from their benefits. To the Levellers and Fifth Monarchy men the rule of Cromwell seemed only the exchange of one tyranny for another; to the Babouvistes the rule of the Directory was the replacement of Solomon by Rehoboam. Immediately a scheme of liberty, in short, is stated in democratic terms, it becomes real only so far as it is rooted in equality.

This is particularly the case in a capitalist society. For, by the law of its being, what it has done is to make material well-being the basis of rights. No doubt it states the proposition in quite general terms, but the result is necessarily to limit privilege to those who enjoy effective demand. In a capitalist society, therefore, liberty is a function of the possession of property, and those who possess property on any considerable scale are small in numbers. There is always, therefore, a perpetual contest in such a society for the extension of the privileges of property to those who do not enjoy its benefits. There is, from this angle, a profound contradiction between the economic and the political aspects of capitalist democracy. For the emphasis of the one is on the power of the few, while the emphasis of the other is on the power of the many. Granted only security, the less the interference with economic

aspects by the political power of the society, the greater will be the benefit enjoyed by the few ; granted security, also, the greater the political interference the more widely will economic benefit be shared. The permanent drive of capitalist democracy is therefore towards the control by the state of economic power in the interest of the multitude.

On this analysis, it is not difficult to explain why the critics complain that liberty is declining in democracy. The conditions of our age, as I have already sought to show, are characterised by a threat to capitalist foundations more serious than at any previous time. Any scheme of liberty is always in jeopardy when foundations are attacked. For the effort of liberty is always directed towards the capture of some particular citadel in which its treasure is believed to be, and those who defend the citadel do so because they believe that moral right is in their title to its possession. What is attacked for them is liberty in general ; what their opponents conceive themselves to be attacking is a privilege the overthrow of which must result in an extension of their own liberty. The position is one of crisis, and liberty and crisis have always been mutually contradictory.

For men are not prepared to concede freedom where the things about which they care most profoundly are at stake. Their instinct is to close the ranks, and to treat both the sceptic and the dissenter as enemies. That was seen remarkably in the war. Every state put into operation some form of a Defence of the Realm Act of which the essential result was to stifle

all vital attack upon the purposes of the war. And a democracy which has reached the point where the equality upon which it is insisting is concerned with the ultimate principles of capitalism is, from the very nature of that relationship, in a state of war. What seems to the capitalist a denial of his rights, seems to his challengers an affirmation of their own. He can see no use in the maintenance of democracy if all his established expectations are to be disappointed; they can see no point which justifies rights from the equal enjoyment of which they are excluded. Men think differently who live differently, and men who live so differently as this conflict implies do not possess the basis of any simple accommodation.

This does not mean, let me remark, that liberty and equality are antithetic terms, though both Acton and Tocqueville have drawn that conclusion. Our experience is rather that liberty only begins to operate significantly upon the plane of equality; without the latter, as Hobhouse said, it is a name "of noble sound and squalid result." For equality supplies the basis out of which liberty comes to have a positive meaning. It is no use offering a man freedom of speech unless he has been trained to make his experience articulate. It is no use offering him, in industry for example, freedom of association if, as so widely in the United States, the employer will not engage a member of a trade union. It is no use insisting that justice is freely available for all if, for most, it is a luxury they cannot afford. Wherever freedom has appeared insubstantial, it is always because of its divorce from equality. Every

liberty becomes a special privilege once, formality apart, there is absence of equal access to its results.

This is, I think, the truth in the distinction communists are wont to make between capitalist and proletarian freedom. The critics of Soviet Russia have insisted with some acerbity upon the fact that its basis is a denial of the freedom known in capitalist democracy, and they have compared its suppressions unfavourably with their absence from Western countries. Here, I think, there are two things to be said. The comparison between Soviet Russia and Great Britain is an illegitimate one; there is no possible analogy between a system which is seeking the overthrow, after heavy civil war, of all traditional values, and one in which those values have not yet been challenged by violence. The true comparison is not with contemporary England, but with the England of the Civil War, on the one hand, or with Revolutionary France on the other. *Mutatis mutandis*, the suppressions are then of an analogous kind. Immediately, that is, men fight to destroy existing authority, the victors are bound to embark upon an attack on freedom in order to consolidate their power. That has happened in Fascist Italy, as it has happened in revolutionary Ireland; and it is notable that the first act of the von Papen Government in Germany was to take sweeping powers to deal with criticism which it believed to threaten its continued existence.

No government objects to attack by which it does not believe itself to be endangered; on the contrary, it is tempted to tolerate it as the proof of its own

strength. The attack which moves it to action is always that by which it believes itself endangered; and, as a rule, the more violent the origin of its power, the more easily it is tempted to consider that it is in danger. Nothing is easier than the maintenance of a free atmosphere in society once its rulers are convinced that freedom does not jeopardise their preservation. But we have only to analyse the England of Pitt and Eldon to realise that when men are afraid *raison d'état* becomes at once the basis of their policy. Looking back a century later, it is obvious to us that the free circulation of the *Rights of Man* would not have meant the violent overthrow of the commonwealth; we can only conclude that even men so able as the younger Pitt cannot think rationally in a panic. We can see, in quiet times, that no policy built upon *raison d'état* can ever fulfil the primary requisites of justice; the history of the trials for sedition and blasphemy in the last century are ample proof of that thesis.

But men do not in fact care about the primary requisites of justice when they think their security is a matter of doubt. Passion triumphs over logic, and the technique of civilisation is replaced by whatever the brute impulse of self-preservation happens to demand. Everyone can now see how ignorant was the folly which denounced Lord Haldane as a pro-German during the war; yet the Conservative leaders made his exclusion from the Coalition Government of 1915 a condition of their membership in it. Public opinion denounced Mr. Ramsay MacDonald in 1914 as a stain upon our national life; in the crisis of 1931

he became overnight a hero of majestic proportions. Those who regarded von Hindenburg during the war as the incarnation of Prussian savagery, now write of him as the embodiment of those virtues of simplicity and loyalty by which a commonwealth is made great. There is, after all, no cause for wonder in all this. "All men," wrote Lord Halifax, "would have that principle to be immovable that serves their use at the time"; and since they are unwilling to admit the changes they do not like they resist them by making their intelligence the servant of their passion. In that temper there is nothing they cannot justify that does not dwell within the realm of indifference.

I do not, on these grounds, believe that the zeal for liberty is any less than it was in the Victorian period. Those who perceive a changed temper only mean that they approve the restraints which are now the battleground of dispute. And they do so in general because, so far as they themselves are concerned, those restraints do not interfere with their own freedom. A rich man writes in passionate indignation to *The Times* to protest against the early-closing Acts; the enlargement of the shop assistants' freedom ought not to interfere with his unrestricted right of purchase. But the same man will vehemently demand a limitation upon the freedom of the trade unions to strike because the objects of that action might interfere with the kind of social life he finds desirable. The socialist demand for work or maintenance seems to him an unthinkable invasion of those rights of property upon which freedom depends; but when the argument is

used to deny that functionless ownership can create a valid title, he is unable to see its force. The situation we occupy is so much the maker of the thoughts we are constrained to feel that we think of men as wicked who merely fail to share our views.

The Russian communist does not deny the splendour of freedom; for the most part he has made sacrifices for it such as the last hundred years of British history have never even dimly experienced. But his conception of the road to freedom involves the creation of conditions other than those idealised by capitalist democracy. He may be wholly wrong in his views, but he is certainly no more wrong than the Gradgrinds and Bounderbys whose vision of freedom was limited to the narrow horizon of the needs of successful business men. We cannot, in fact, get agreement to maintain the conditions of freedom until we get agreement about its objects. If the state is at all costs to preserve a capitalist society, it will have to suppress those who are resolved upon its transformation; and freedom to suppress is not freedom for the persons suppressed. There is, in substance, no difference between our present position and that which once characterised the conflict over religious unity. If the men in power conceive that salvation is threatened by dissent, the outlawry of the stigmatised sect is never long in coming. Capitalism to-day is in the position of a church which hears blasphemy within its walls, and it moves to persecution through its appointed organs exactly as in an earlier age and upon a different field.



Nothing of this implies a belief on my part that the abandonment of liberty is either wise or good in itself; I am not here concerned with that issue. Our problem is the quite different one of parliamentary government in a capitalist democracy where it is desired to alter the foundations of the system and where those who desire this alteration do not possess the economic power of society in their hands. I am concerned with the question of whether, by attaining a majority in the legislative assembly, they can make the necessary adaptations with the assurance of success. Whether they are wise in making the attempt is a question wholly alien from my enquiry. I have been concerned to show how all the institutions of a capitalist society have been constructed for purposes quite different from those which socialism has in view. It is important, as I have pointed out, that as the victory of socialist parties has come consistently nearer to realisation, the operation of the democratic principle in capitalist society has become progressively more difficult. Democratic assumptions have been increasingly challenged; the self-confidence of their defenders has been seriously shaken; and so far from being, as in the nineteenth century, the essential ideal of the period, our time has witnessed their increasing abandonment over a wide area. My problem has been to discover whether the reasons for this atmosphere are inherent in the process of government or no. Is the cause of our *malaise* a constant feature of human nature or due to circumstances we may hope, by suitable expedients, to control?

It is, no doubt, tempting, in Machiavelli's fashion,

to construct a cyclic philosophy of history, and to argue that the democratic phase is about to suffer transformation into an oligarchic system of some kind. But to analyse the problem in that fashion is to miss out most of the factors from the equation. It does not explain why the cycle occurs at all, and it makes assumptions about the character of democracy all of which are challengeable. Capitalist democracy has only reached the term of its predominance if it cannot discover a way of adapting itself to new demands or if the motive of profit-making is the only reasonable basis upon which to expect an expanding level of economic welfare. Whether the discovery of such adaptation is possible we do not know with any certainty. The presumptions, on the evidence, are against it; for no new social order has so far come into being without a violent birth. That is, of course, the strength of the case for communism. It is argued, quite properly, that if you can only win by fighting, the part of wisdom is to prepare yourself for the conflict. And it is wholly right in its view that if civil war is the price to be paid, nothing but a dictatorship can consolidate the gains of victory. On that hypothesis, certainly, capitalist democracy provides no institutional basis for the next stage of civilisation.

Certainly no one can now seriously maintain that the profit-making motive is the fundamental root of social good. The areas of life in which it is now either controlled or non-existent are too vast for us to be able legitimately to regard them as more than one of the ways by which men can be tempted to productive

effort. It does not operate at all with the soldier, the sailor, or the civil servant; it has a very partial relevance to the work of the artist and the man of science; and it is circumscribed successfully at every turn in the professions. It is, of course, dangerous to generalise from the relatively brief experience of Soviet Russia; but, in so far as that experiment proves anything, it shows the power to teach a whole people to regard the profit-making motive with contempt and to substitute alternatives for it upon which there is at least the prospect of an economically successful society. And if emphasis be laid on the enormous price the Russians have had to pay for their experiment, they might reasonably retort that the same accusation could be levelled against a capitalist democracy.

But what, certainly, no analyst can fail to note in the Russian experiment is that it would have been impossible to attempt it even if its makers had determined to respect the constitutional philosophy of parliamentary government. If the Bolshevik Revolution had not been made, Russia would probably have resembled the ordinary Western type of parliamentary state in which, though the rights of the peasantry were greatly enlarged, the capitalist notions of private property were still predominant. It would have found, in fact, the same disharmony rooted in its life as that by which other peoples are confronted. There would be the essential contrast between the widespread distribution of political and the narrow concentration of economic power. And so long as that contrast remained the possessors of political power, being

many and poor, would have sought to use their authority to equalise the economic benefits to which they had access. They would want, in a word, an authority to distribute the results of the economic process upon some principle other than the ability to make profit by the fact that the profit-maker is, whether active or no, the owner of capital.

To that fundamental problem the whole debate consistently returns. The discipline of capitalist democracy is in decay because the principle of capitalism cannot be squared with the principle of democracy. The one consistently seeks to maintain inequalities which the other, not less consistently, seeks to abolish. So long, as I have pointed out, as a capitalist society is in a position to make concessions to the democratic principle, the inherent contradiction which comes from its adoption of a democratic form is obscured; and people give allegiance to its processes by reason of the benefits its success enables it to confer upon them. But once it ceases to be successful, it ceases to be able to make concessions to the principle of democracy. The tendency to an ever greater expenditure upon social objects is arrested, and that arrest produces resentment. For that resentment concentrates attention upon the inequalities of a capitalist society, and gives sharp emphasis to the lack of relation between its laws of distribution and social needs. The discipline it then seeks to maintain is one which continually denies to the masses the concessions to which they have become accustomed. It becomes obvious that the authority of those who possess political power is

limited by the will of those who own the instruments of production. The security of these is threatened by the resentment; and whenever security is threatened, democratic principles are challenged, simply because a threat to security always arouses the pugnacious impulse of men. That is not the atmosphere in which solutions can be made through the channels of consent, since consent implies that temper of reason in which the impulse of pugnacity has been deliberately subordinated to a spirit of accommodation.

Those, then, who say that the desire for liberty is declining in democracy are not laying down a simple proposition capable at once of direct proof. What is declining in our democracy is security, and this declines because the success of capitalism, its power to offer an increasing economic good, is in dispute as never before. Doubt of security is doubt of order; confidence is replaced by fear, hope gives way to dismay. This is the atmosphere in which extremes have always flourished, and liberty is the historic antithesis of the extreme. Liberty matters to men only when they conceive themselves as a community to have made their bargain with fate, and can satisfy such a proportion of their established expectations as to remain content to leave the rest to time. When that atmosphere has gone, they are cut loose from their wonted routine. The voices of the extreme are heard, and it is the characteristic of the extreme to challenge the conventional assumptions of each given civilisation.

This may perhaps be put in a different way. All social change is an interference with the vested interests

of some definite time. About these there have accreted sentiments, emotions, ideas, which make their possessors fearful of the results of challenge to them. Successful change, therefore, is, for the most part, change which does not so outrage the men who protect those interests as to make them prefer conflict to the surrender of the things that change involves. Successful change, therefore, is always most easily attained in a period where no large price is exacted for its accomplishment, since this permits rapid adaptation to the new atmosphere. Where property, in particular, is concerned, the greater the opportunity of economic expansion the less the indignation aroused by an alteration in its rights. It was the peculiar good fortune of Great Britain that its transformation from a society predominantly controlled in the interest of a landed aristocracy to one controlled predominantly in the interests of an industrial middle class was accomplished in a specially favourable economic environment. That explains why we had 1832 instead of 1789, why the threat of the Chartist Movement was so easily answered by the rising standard of life among the masses after the repeal of the Corn Laws.

Now the whole position has altered. The changes that circumstances compel are made in a world specially unfavourable to economic expansion. They are made with greater intensity, and far more rapidity, than in any previous period. They involve an attack upon vested interests which make these angry and fearful before the adjustments demanded. There is too little time for the psychological conditions of acceptance

by consent to be prepared. Only under such conditions are men capable of arriving at their accommodations in terms of reason; in other conditions, because the price exacted for the new equilibrium is exacted so quickly, is so directly contrasted with the habits they have known, acceptance by consent becomes, at best, a matter of grave dubiety. The temper involved then makes it inevitable that men should be incapable of the patience that liberty demands. For government by discussion means that the defeated party agrees to co-operate with the victor in the application of the latter's will, and, in this environment, it is the very foundation of the discussion that one side rules out from the field of possible acceptance the solution demanded by the other.

I have been concerned here to argue that a political democracy is bound by its very nature to resent, and ultimately, therefore, to seek to overthrow, distinctions among its citizens which are built upon wealth or birth. It will therefore move, slowly it may be, but nevertheless inevitably, to the organisation of an institutional framework in which the advantages of either are suppressed. It will move slowly so long as the society shows itself capable of making the adjustments by consent within a reasonable time. But those adjustments, of themselves, produce an egalitarian temper which feels the burden of remaining inequalities much more fiercely than was the case when they seemed, by their extent, a part of the fixed order of nature. As soon as the adjustments die down, the demand for their continuance becomes more vehement.

The long refusal, in England, to establish a national system of education produced far less resentment than the attempt to economise upon it in the post-war years. Men bore the price of unemployment much more cheerfully half a century ago than they have done since the establishment of insurance against its more terrible consequences.

If, then, political democracy means a continuous movement towards equality, there cannot be a halt to its progress over any considerable period without challenge. A temporary panic, like the financial crisis of 1931, may persuade men to a temporary postponement of its benefits, but it is upon the very definite condition that they are demonstrably temporary in character. But the resumption of this progress is, for those who have enforced its suspension, a function of economic recovery. To attempt it on other terms is, for them, an impossible adventure. We then reach a position in which, in the absence of economic recovery, the purpose of political democracy is stultified by the confinement of economic advantage to a narrow circle. It is explained, of course, that the economies effected are consolidation rather than regression; but if this is widely challenged, as, notably, it is widely challenged with ourselves, it will not be for long believed. Sooner or later a change in popular opinion will put the party of challenge into power; and if their opponents cannot reconcile themselves to the resumption of the egalitarian movement, there is no alternative but the suspension of constitutional government. It is the half-instinctive realisation of



how closely we approximate to this position which explains the decline in the zeal for liberty. Men now interpret so differently the ends that politics must serve that the victory of one set of principles is to its opponents in the nature of a catastrophe. And if the victory can be prevented by fighting, it is in human nature, even in English human nature, to fight.

#### IV

I say even in English human nature, for our long immunity from political violence tends to blind us seriously to the realities of our position. The demand for equality is implicit in our political system in a period when the belief in inequality is still a profound passion with our governing class. The reason for that attitude is, of course, simple enough; their privileges are the outcome of the inequalities they maintain. But it is worth our while to notice that their outcome is regarded very differently not only by those who do not, within our own community, share in them; they are also a matter of amazed comment to the foreign observer of our civilisation.

"The Englishman's social ethic," writes Dibelius,<sup>1</sup> "is less deep and exacting than that of other civilised nations, because it deliberately includes only a fraction of the common human ideal." We are the only people in the modern world whose system of education is deliberately built on class distinctions. That initial

<sup>1</sup> *England* (1930), p. 166. The whole of the sixth chapter is a remarkable comment on this theme.

choice, as modern enquiries have shown in detail, has largely confined the positions of command in society not to the ability at our disposal, but to the children of the economically privileged classes. The proportion of working-class children who can hope to pass the barriers which stand in the way of their penetrating such professions as the Bar and medicine, the officer-class of the armed forces of the Crown, or the ministry, even, of the Church of England, is pathetically small. The essential control of industry is still a function from which the children of the poor are almost wholly barred. Even when trade unions nominate their members to the House of Commons, there is a strong age-differential in favour of the aristocracy; and, despite the post-war changes, the diplomatic service still remains, in an astonishing degree, the preserve of a small number of the public schools.<sup>1</sup> An inequality based upon economic privilege still lies at the very heart of our society.

Its result has been the inevitable one, so clearly foreseen half a century ago by Matthew Arnold, that there is no real community of spirit and culture between the different classes of this country. The environment of the class which governs is so alien from that of the class dependent upon it that they seem, to any careful observer, to live in different worlds. They cannot understand each other's wants simply because they have never experienced them. Nothing has made this plainer in the post-war years than the relations between

<sup>1</sup> The evidence for these statements is collected in Professor Tawney's *Equality* (1931).

the miners and the mine-owners. Anyone who compares the attitude of Mr. Robert Smillie and the ducal witnesses he examined before the Sankey Commission in 1919 will have difficulty in believing that ideas so wholly antithetic, interests so widely apart, can belong to members of the same commonwealth. So, also, with the General Strike of 1926. The historian of the next generation who compares the strikers' own accounts of their motives with those supplied, for instance, by Mr. Winston Churchill, will not find it easy to persuade himself that he is reading about the same event. He will tend to feel, as he reads the explanations of the economy campaign of 1932, that it was an article of faith with the rulers of Great Britain to assume that the way of life deemed suitable for themselves and their children was wholly improper for the working classes and their offspring.

The essence of the position which has resulted from what Mr. Tawney has called our "religion of inequality" is the inability of the comfortable to enter into the minds and feelings of those who lack the benefits of their position. Year after year the investigations of the Ministry of Labour have established how infinitesimal is the proportion of the unemployed who become "work-shy" as the result of the "dole"; but year after year also, the comfortable classes insist, with the major portion of the Press behind them, that the "dole" is undermining the morale of the working class. It could be said by the May Committee in 1931 that a time had come to call a halt in educational expenditure by the nation "since the standard of

education, elementary and secondary, that is being given to the child of poor parents is already in very many cases superior to that which the middle-class parent is providing for his own child"; it did not appear to occur to Sir George May and his colleagues that the alternative inference from their statement was the inadequacy of middle-class education. The very fact that every concession to social decency in legislation, in housing, in schemes for miners' welfare, in the limitation of the hours of labour, even in maternity and child welfare provision, has been granted only after a profound, and often passionate, struggle, is evidence enough of the degree to which the claim to an equal commonwealth is resisted.

Indeed, this temper may be brought out in another way. For over sixty years there have been Conservative working-men's associations in Great Britain, yet between them, over the whole period, seventeen general elections for over six hundred constituencies have not produced as many working-class candidates for the Conservative Party as the Labour Party has had in every general election since 1906. The same is true of the Liberal Party; and it is interesting to note that Mr. Ramsay MacDonald's abandonment of liberal tenets forty years ago was due to the unwelcome realisation that the Liberal leaders were definitely uninterested in working-class demands.<sup>1</sup> No child of working-class parents has ever sat in a Conservative cabinet; and Mr. John Burns was the only trade unionist who, before the war, was selected for high

<sup>1</sup> W. Stewart, *Life of Keir Hardie* (1921), p. 92.

office by the Liberals. Until the advent of the Labour Party in 1906, as a separate force in British politics, it is notable that the most numerous class in the nation was virtually without representation in the House of Commons.

That can only be explained on one of two hypotheses. Either it was due to the fact that parliamentary talent was a faculty denied to the working class, which few people are likely to argue now, or it was because our inegalitarian system, as Arnold predicted, bred into the governing class an arrogant confidence in its right to rule, on the one hand, while it persuaded the working class to accept the idea of its own inferiority on the other. That equilibrium could be maintained so long as the ship of state encountered fair weather. When, however, it ran into stormy waters, the presupposition upon which it rested became a deliberate matter. To-day the presupposition is unacceptable to the electorate as a whole, and the only condition upon which, over a period, the governing class can maintain its authority is by proving that its power is continuously coincident with an increase of material well-being for the working classes, or that, where sacrifices have to be imposed, their incidence is genuinely equal. The former, as I have argued, is a function of an economic recovery which is dubious; the latter is prohibited by the psychology which our inegalitarian system has created. For no one can seriously claim, to take the experience of 1931-32, that the economies judged necessary by the MacDonald Government have fallen with equal weight upon the different classes of the

nation. An increase in the income-tax and super-tax does not seriously touch the lives of men and women with annual incomes above a thousand pounds; but the suspension of housing schemes, or the imposition of fees for secondary education for children whose parents have an annual income of two hundred pounds, to take only two instances, may have effects from which, for the persons directly concerned, there is no prospect of possible recovery.

It is, no doubt, a platitude for the economists to argue first that a nation must not live beyond its income, and, second, that an equal division of what there is would not seriously alter the position of anyone. But the generalisation, so stated, misses the pith of the problem. There is, no doubt, a limit to taxable capacity in any people; but the evidence is far from final that we have reached this limit, and, even if we approach the sum of what taxation may hope to extract, it is far from clear also that it is proportionately devoted to the right objects. So long, at any rate, as the expenditure upon armaments is twice that spent upon education, it will not be easy to persuade a considerable body of reformers that the state has rightly conceived the proportionate importance of its purposes. Nor is this all. If Professor Bowley is even approximately right in his calculation that some two hundred and fifty millions were spent upon luxuries in 1911 by the rich or the moderately well off,<sup>1</sup> it is important to note that this sum was practically the amount of the whole pre-war budget of Great Britain; and when one

<sup>1</sup> *The Division of the Product of Industry* (1919), p. 49.

translates its possibilities, not into terms of individual increments of income by equal redistribution among the population, but into terms of slum-clearance and educational opportunity and other forms of social service, it is obvious that it represents no inconsiderable possibilities.

But it is of the central principle that we must lay hold. And that central principle is that our system of inequality has made us so profoundly Disraeli's two nations, that the rich still cannot bring themselves to believe that the poor have a rightful claim to equal opportunity with themselves. And since the admission of that claim involves a re-definition of the rights of property in such fashion as to abolish the privileges which property now enjoys, it is at least dubious whether the rich would acquiesce peacefully in that re-definition when their minds are so ill-prepared to accept it as reasonable. It is not an adequate reply to say either that we are not a revolutionary people, or that revolution is the highroad to disaster. We have not been tested, since 1688, by the conditions under which men prefer revolution to its alternative; and there are occasions in history in which men are prepared to gamble with the possibilities of disaster rather than submit to conditions they regard as intolerable.

The governing class, in such a capitalist democracy as ours, has the simple alternative of fighting for its position of privilege or of showing itself able consistently to improve the standard of life. If it cannot achieve the latter objective, it cannot satisfy the conditions implicit in universal suffrage. Either it

must force the abandonment of that experiment—and this, in itself, may well involve revolution—or it must be prepared deliberately to abdicate its privileged position because the force of numbers is against it. That abdication will not, I think, display itself as natural to men whose historic expectations suffer sudden and violent disappointment; it is hardly in human nature that it should do so. One can see how large-scale economic recovery might permit the resumption of the policy of concessions. But there is a wide margin between concessions and abdication. Depression in a few brief years has already produced an atmosphere in which the whole philosophy of concession has been seriously called into question. When it is the remaking of the social order that is demanded, is it likely that men will refuse the challenge?

Two final remarks are pertinent. The psychology, from the angle of the governing class, that is all-important is, once more, the psychology of the business man. We ask him to surrender his fundamental insistence that gain in a pecuniary sense is the standard by which all other activities in life are to be judged. We demand the surrender of the almost wholly autocratic control he now exercises over the lives of his employees. He can hire and fire as he pleases. He can, with the assent of his shareholders, issue stock as he pleases. He can appoint fellow-directors without regard to competence. He can issue balance-sheets from which no real insight into his business can be obtained. He can drive his labour-force to a point where it is physically incapable of a creative use of leisure. So long as the



property he represents is under his control, he has to answer to no one for his actions. Outside a narrow limit of conduct prescribed by the law, he is the unlimited master of the field. And so long as his conduct of business shows a profit, his shareholders will be well content. Not one in ten thousand will believe that he has an iota of responsibility for the manner in which his dividends are earned. It is the very essence of business enterprise to neglect no expedient that may serve the attainment of profit, and its recipients regard that attainment as the final test of adequacy.

It is not, I think, an answer to all this to urge that everyone knows how decent and kindly the average business man is, how devoted a father, how admirable a husband. It is true that in general he works hard, and that he is as much the slave of his routine as those over whom he rules. But that slavery to his routine is the very pith of the matter. Its assumptions are so large a part of himself that the very idea of challenge to them does not present itself to him as rational. He can no more understand rebellion against the system he embodies than a caste-Hindu can appreciate Mr. Gandhi's struggle for the rights of the untouchables. That is why I find it difficult to believe that he will accept without a struggle the coming of a system which represents the denial of the philosophy upon which he acts. Were he sceptical about it, were there even, among his fellows, a considerable number of men so sceptical, I could understand the view that the compromise of 1832 is a permanent model of English

political conduct. But when the forces against a compromise are so strongly weighted, when the price of its effectiveness is so high, it is permissible to doubt its possibility.

It may be said, finally, that his safeguard, and the proof that compromise is a simple matter, lies not in his determination to maintain his kingdom, but in the absence of any widespread desire in the working-class to demand it. On the contrary, in the General Election of 1931 the common people showed with all the emphasis at its command its sense of a unified interest with the governing class. The argument, I think, is too simple to be true. A panic election is no more an index to the permanent temper of the working class than the khaki election of 1900 or the "coupon" election of 1918. All the problems of a society built on the profit-making motive still remain. That society has to make a rapid economic recovery, to be able, that is, to resume the policy of concessions unless, after a period, it desires to see political authority pass into the hands of its critics. No mood of sacrifice remains perpetual; its fruits, with a whole people, have to be quickly gathered. No government which has to go on cutting down the social services and condoning wage reductions can maintain itself in a democracy based on universal suffrage; for the conditions implicit in universal suffrage, in England as elsewhere, are a constant increase in material well-being and the proof that differences are referable to principles which can be explained.

The temper of the working class may very easily,

in the coming years, be transformed from one of acquiescence in sacrifice to one of a demand for large-scale changes in the direction of equality. So long as it is persuaded of the hope of recovery it will watch, as now, the spectacle of party conflict in the belief that change for the better is at hand. But it will not go on believing it unless proof of such change is soon forthcoming. It grows tired of being fed on promises. Having the constitutional means in its hands to change a government, any long period of failure will induce it to try an alternative. Unless there is acquiescence in that experiment by those who have failed, the conditions emerge in which revolution is inevitable. That has always been the history of every régime which has been unable to meet the crisis by which it was confronted. Long years of industrial depression have produced a lack of faith in, an apathy about, our historic institutions which make them far more fragile than they superficially appear. Those who say that the working class does not want revolution are perfectly right. But it does desire economic security and an increasing share in the gain of living. It will not consent to the surrender of its expectation of these without using its power to pursue an alternative road. And if entrance to that path is barred, as Charles I sought to bar the road to parliamentary sovereignty, or the French monarchy to the constitutional experiments of the Revolution, the working class is no more likely to watch unmoved the frustration of hopes upon which it is determined than it has been in other historic experience. A capitalist democracy can only

deny equality by proving itself capable of indefinite expansion. That is the condition upon which it is able to secure the allegiance of the common man. But, patient and slow though he may be, there is a limit to the burden he is prepared to bear.

That is the significance of a socialist movement in such a democracy. Its premises may be mistaken, its hopes vain. They can yet only be refuted either by being shown to be unnecessary (which is to postulate the continuing success of capitalism) or by being proved to be false by experiment. However false, however mistaken, the power behind them must not be underestimated. Positively, there is the strength of organised trade unionism whose very *raison d'être* is its pressure for an increase in the standard of living. Negatively there are those vast and unorganised forces which, without owning allegiance to any definite party, vote against any government with whose performance they are dissatisfied. Potentially, at least, there is inherent in this situation a government of socialist complexion. If it attains office, it will attempt egalitarian measures; and, so long as the Constitution is respected, only their demonstrated failure can justify their reversal. And if its attainment of the constitutional right to govern is frustrated at any point, the inevitable consequence is the loosening of those ties of allegiance by which the framework of society is maintained in peaceful equilibrium.

This analysis, it is worth while noting, does not suffer, if it is urged that in difficult times men of good will must pull together and preserve unimpaired the

fabric of the state. Men of good will can only pull together if they are united, not only upon the ends to be attained, but upon the ways of attaining those ends. A national government may ignore the normal lines of party division, it may strive with all its energies to solve its problems; but the condition of its power to hold the loyalty of citizens is always the grim condition of being able to satisfy the people by demonstrable success. Men of good will, even from all parties in the state, merely constitute themselves a party if there is no common agreement to the principles upon which their action is based. Once that agreement is withheld, the resumption of party warfare, on the lines indicated by the differences which emerge, is only a matter of time. The agreement is withheld in Great Britain to-day, and nothing can now prevent the basic characteristics of our society from being put to the test of success as the condition of their power to survive.

## CHAPTER IV

### THE REVOLUTIONARY CLAIM

I have so far in this discussion sought to put as strongly as I can the grave dilemma in which a capitalist democracy must necessarily find itself. I have argued that the logic of universal suffrage is either an equal society or such a continuous expansion of material welfare as softens the contrast between rich and poor in any given state, and that the operation of the profit-making motive is an essential contradiction of this motive. I have argued, further, that the temper of Western civilisation displays precisely those features which, in previous periods, have signalled the onset of a revolutionary epoch. I have sought to show that the common agreement upon which capitalist democracy depends is in process of rapid dissolution. Capitalist values are challenged at their foundations. Capitalism is presented with the choice of co-operating in the effort at socialist experiment, or of fighting it; and I have given reasons for believing that it may well prefer the alternative of fighting.

The temptation of any serious observer of the conditions I have been discussing is to argue that since the possibility of conflict is grave, the course of wisdom is to prepare for its coming so that the side on which his convictions are engaged may have the maximum hope of victory. If, it is said, a capitalist democracy is inherently incapable of justice, and shows itself as

likely to defend with violence the injustice for which it is responsible, nothing is gained by the attempt at its peaceful conversion; for, at its best, it is unready to do more than allow its major evils to be mitigated, and, when it enters upon a period of decline, it demands at once the surrender of the mitigations. The part a realist would choose is then a challenge to the existing order that he may build upon its ruins the foundations of a juster civilisation. The function, it is said, of anyone who believes in equality as the only rational foundation of a state is to prepare adequately for the inevitable seizure of power in order that he may impose its consequences upon men who are unlikely, upon other conditions, to admit its arrival.

That the argument is a powerful one no serious observer of the events of our generation is likely to deny. But as a general formula it does not offer its full implications until we have discussed what exactly it involves. For revolution, as Lenin was never tired of insisting, is an art, and nothing is gained by embarking upon it except under the conditions which maximise the prospects of success. A revolution that failed would only have the effect of abrogating those limitations upon capitalist authority which parliamentary government imposes, and the situation after defeat would almost certainly be worse than if the attempt to conquer power had never been made. Blanquism, in a word, is mere trifling with the issue; the serious revolutionary must occupy himself with the creation of those conditions in which his effort is something more than a gamble.

What that creation involves has been set out by Lenin in words of pre-eminent authority. "In order to be entirely victorious," he wrote,<sup>1</sup> "insurrection must depend not on a conspiracy or a party, but on a revolutionary class. That is the first point. Insurrection must depend on the revolutionary pressure of all the people. That is the second point. Insurrection must break out at the apogee of the rising revolution, that is, at the moment when the activity of the vanguard of the people is greater, when fluctuations among the enemy and among the weak and indecisive friends of the revolution are strongest. That is the third point. It is in bringing these three conditions to the consideration of the question of insurrection that Marxism differs from Blanquism." Nor is this all. "No great revolution," he wrote, "has happened, or can happen, without the disorganisation of the army. . . . The new social class which aspires to power has never been able, and is even to-day unable, to assure and maintain its authority without the complete dislocation of the old army."

It is in the background of those words that any discussion of the revolutionary hypothesis must begin. No one can hope successfully to challenge a régime in being except upon the existence of certain definite conditions. There must be a profound revolutionary class-consciousness; there must be a strong revolutionary party to take advantage of that situation; that party must, in its turn, be directed by leaders who have the courage to will, the eye to see, and the

<sup>1</sup> *On the Road to Insurrection*, p. 57.



resource to manœuvre. The government, moreover, must be unable to rely upon the obedience of the armed forces for the execution of its orders. Successful revolution, in a word, depends upon the existence of a situation where the authority of the government is in jeopardy. The things that it seeks to secure are so widely resented that the masses can be galvanised by skilful leadership into resistance to them.

That was, in fact, the condition in Russia in 1917. The Czarist Government was widely hated. In the midst of unsuccessful war the army had been terribly mishandled. There was universal desire for peace and the reorganisation of essential social principles. The machinery of government was everywhere in confusion. In this environment, and almost despite itself, Lenin drove the Bolshevik party into a successful attack upon the foundations of power. There is every reason to suppose that similar conditions would produce a similar result elsewhere. But certain other inferences from that environment are also important. The environment in which Lenin was successful is of extreme rarity in history; under the conditions of modern administration, except in the event of unsuccessful war, it is only seldom that a political system breaks down with such completeness. To attain the condition, under other circumstances, where the policy of a government is so deeply resented that the masses are prepared for battle and the loyalty of the armed forces is at best improbable needs an atmosphere of outraged indignation far transcending anything this country has known since the seventeenth century.

Unwise government, no doubt, could provoke that atmosphere with swiftness. The wholesale withdrawal of social legislation; a widespread series of large-scale strikes against serious reductions in the standard of living; a grave increase of unemployment; continuous suppression of the unemployed in which the troops have constantly to be used and clashes occur in which men and women lose their lives—out of these things may easily develop the kind of temper in which a revolutionary atmosphere is a grave possibility. And that temper is likely to develop unless economic recovery is rapid simply because, without it, the attack which the propertied class will be driven to make upon the established expectations of the workers is certain to go further than the latter are prepared to stand. There is no need to underestimate the psychological appeal of revolution once privilege is protected at the obvious cost of those who do not enjoy its benefits. Men who see a threat to the things they feel themselves entitled to claim are more than likely to resist the threat. The only answer capitalism can make to the challenge of communism is, as I have already insisted, the proof that the material benefits it can secure are definitely greater than those of an alternative system. Communists can even argue legitimately that the evidence of the post-war years makes it a matter of doubt whether the governing class is prepared to pay the price, such a price, for instance, as Sir Arthur Salter has indicated,<sup>1</sup> upon which its recovery of authority depends.

<sup>1</sup> *Recovery* (1932).

But, in the absence of such conditions as these, or, alternatively, if their accumulation is slow, the task of a definitely revolutionary party is one of the highest difficulty. To produce a revolutionary class-feeling when the workers lack the sense of profound outrage is beyond its accomplishment. It may urge deception or betrayal, as in the General Strike of 1926, but the things to which it points are not felt widely enough as deception or betrayal to produce the atmosphere of which it has need. Nor does it ever have that access to the mind and temper of the armed forces which enables it seriously to make headway with its task of disintegration. The events at Invergordon in the autumn of 1931 show clearly that it is the government's treatment of the services rather than revolutionary propaganda which, in normal times, makes a serious impact upon them; and those events show clearly also that a government which knows how to negotiate wisely is almost always in a position where it can restore its authority by retracing any mistaken step. The essential weapons of which a revolutionary party stands in need are simply not, in the modern state, at its disposal until the foundations of that state are not only in fact undermined, but are seen to be undermined by those upon whom the revolutionists must rely for the seizure and consolidation of power. What they require for their technique is either cumulative economic disaster on the one hand, or costly military adventure upon the other. In the aftermath of either the circumstances upon which they count may well arrive.

But until the advent of those circumstances they cannot hope for the prospect of a successful assault upon capitalist democracy. Their own sense of injustice is so keen that they underestimate the power of habit and tradition to retain men in obedience who derive no advantage from it. They are inadequately aware of the degree to which, in such a society, the common people is the prisoner of the emotions and prejudices by which their rulers maintain their power. That was brought out in striking fashion in the General Election of 1931; innumerable voters were persuaded to accept the diagnosis of Mr. MacDonald and his colleagues whose support would be essential to revolutionary action. In the absence of capitalist recovery, no doubt, they will use their electoral power, with a similar vehemence, to register their sense of frustration. But the first road they will take will not be that of revolutionary action. The impact of past experience will rather persuade them to experiment with the possibilities of a socialist administration.

And it is in those days, above all, that the test of capitalist democracy will come. The possibilities, as I have sought to show, are three in number: (i) A socialist victory at the polls may result, in one form or another, in the creation of a capitalist dictatorship. The refusal, under those circumstances, of the ruling class to accept the consequences of a parliamentary democracy will sooner or later result in challenge; and its outcome, as in 1642 and 1832, will be the temper among the masses which permits revolutionary experiment. Neither the Labour Party nor the trade

unions would suffer deprivation of power if this were effected by the deliberate flouting of constitutional convention. The consequence would almost certainly be a political general strike in the attempt to defeat which a capitalist government would destroy the good will upon which peace depends. (ii) It is possible that a socialist victory at the polls may result in the actual accession to power of a socialist government. Two alternative policies then emerge. That government may, as in 1924 and 1929, shrink from the challenge involved in embarking upon a large socialist programme; it may seek, like its predecessors, merely to tinker with existing inadequacies. Any such effort is certain to discredit it in the eyes of its supporters. Its authority will rapidly crumble, and it will give way to new forces of the Left once it seeks a refreshment of authority from the electorate. Much more likely is its embarkation upon bold measures; and it may well be that these will be attacked by the vested interests they endanger by non-parliamentary means. Such a position would also create the atmosphere in which revolutionary experiment becomes possible or, indeed, inevitable; and no one who studies the prelude to the English Civil War, or the days before the outbreak of 1848, is entitled to deny the possibility that this may occur. Of the possibilities which confront us, granted the contradiction between the economic and the political aspects of capitalist democracy, this seems the path we shall most likely be driven to tread. (iii) Of the third possibility, that of a peaceful acceptance of socialism by the governing class, I have treated at length in these pages. It is the

most satisfactory, because the most rational, solution. It avoids the horrors of violent civil war. It permits us also to avoid the costs involved in scrapping a democratic parliamentary system, with the highly efficient administrative machine it has created, and replacing them by a dictatorship which, at least for a period, is bound to mean grave hardship and suffering for the whole community. Not least, it permits Great Britain to maintain unimpaired its international authority.

But I have shown that it is not a solution upon which on the evidence we are entitled to count with any certainty. The scales are heavily weighted against it. Acquiescence in abdication is in any case rare where the stake in dispute is the rights of property; and where it has taken place, as in 1832, it has usually been because those who shared their authority with the new holders of power confronted a prospect which did not involve any final elimination of their privileges. The ties which bind men together in our society are financial rather than spiritual; if these are to be dissolved, it is difficult to see that an effective basis of community remains. "Love of men cannot be bought by cash payments," wrote Carlyle, "and without love men cannot endure to be together." The establishment of socialism in terms of democratic peace involves so profound a revolution in the psychology of the privileged class, so rapid an adjustment to new motives and new values, that a doubt whether it is practicable is at least a permissible speculation.

And this doubt is reinforced by the spectacle of recent events. Eminent statesmen on the Conservative side have been impressed by the rapidity with which

the parliamentary system makes possible basic fiscal changes. They see, quite rightly, that an instrument so flexible may be used, upon another occasion, for purposes of a very different kind. They therefore call for precautionary measures to be taken against this danger. One ex-minister demands such a revision of the powers of the House of Lords as will prevent a socialist House of Commons from using its financial authority in a drastic way; the second chamber is to be deliberately strengthened in the interests of property.<sup>1</sup> An ex-deputy Speaker insists that, unless this is done, it may be necessary to revive the royal veto against legislation hostile to economic privilege.<sup>2</sup> If, even before the advent of a socialist majority, the ground is prepared for methods intended to frustrate its purpose, is the temper of peace likely to be preserved when those measures are actually presented with the authority of a government behind them? And is not this contingent danger intensified by the mood of a Socialist Party which not only insists, simultaneously, upon a programme which marks the end of a gradualist temper, but also demands unanimously the abolition of the House of Lords, lest privilege be in a position to prevent the rapid translation of that programme into the event?<sup>3</sup>

<sup>1</sup> Sir A. Steel-Maitland, moving a resolution at the Annual Conference of the Conservative Party at Blackpool (*The Times*, October 8, 1932).

<sup>2</sup> Lord Rankeillor at the same Conference.

<sup>3</sup> See the resolutions of the Labour Party Conference at Leicester and the reports of the discussions (*Daily Herald*, October 4-8, 1932).

It is, of course, possible that the Socialist Party is so far distant from the attainment of power that the mind of the community will have time to adjust itself to the schemes it has formulated and that the propertied class will be thus able to receive them without a sense of outrage. But, once more, the condition of this postponement is the recovery of capitalism, and the consequential power recovery involves to resume the policy of concessions. Unless this occurs, the operation of the party system will inevitably result in a socialist majority and an attempt be made to give legislative expression to socialist principle. In these circumstances the forces of property have obviously to make their choice. If they concur in the erosion of their principles, they make the victory of parliamentary democracy the most notable in the historic record. But the temper in which they contemplate the possibility of a socialist victory does not encourage a mood of optimism.

## II

At this point it is worth while to consider two arguments which have been put forward under distinguished auspices. Those who press the Labour Party to embark upon a considerable socialist programme have been rebuked by Professor Zimmern for their lack of attention to international realities. The vital thing, he argues,<sup>1</sup> is not a forward move in a single society which is inevitably involved in a greater inter-

<sup>1</sup> *Political Quarterly*, October 1932.



national community with which it must keep step, but a policy of strong support for those agencies, like the International Labour Office, which are seeking to attain adequate economic standards over the world as a whole. The root of evil, he thinks, is not the position of the privileged classes, but the need for "international rules of commercial policy . . . a stable relationship between money and goods, for government borrowing (so fruitful a cause of war in the past), for private investment and speculation, for the constitutionalising (at least as a first stage) of trusts and cartels, for forced and sweated labour in its manifold forms, for freedom of transit by land and sea, for unhindered access for the industrial nations to the raw materials indispensable for their life, for colonial policy and migration, for the world-control of individual trades and services—for instance, arms, aviation, dangerous drugs, coal, oil, sugar, radium—and last, but not least, for the development of international police-power to ensure that none of the feudal barons, great or small, who are to-day still flaunting their "sovereign power," shall find it possible to defy the law without being taught a sharp lesson of international interdependence."<sup>1</sup>

It is a noble programme, the realisation of which many would agree is an essential condition of social good. But what lies in the way of its realisation if not exactly those vested interests against which socialism is a protest? So long as raw materials are the subject of private ownership, states whose economic life is

<sup>1</sup> *Political Quarterly*, October 1932, p. 516.

dominated by their owners will not go to Geneva prepared to give the industrial nations unhampered access to them. Great Britain, which has not been able to master the "feudal barons" of its own coal industry, is not in a position to negotiate the mastery of the coal magnates of the world. So also with each item in Professor Zimmern's attractive programme. The state-power cannot, for international purposes, be regarded as something distinct from the system of privilege which gives it its whole colour and complexion. Those who resist the settlement of problems at home in parliamentary terms are unlikely to utilise an international machinery for that end in which even the effectiveness of majority-rule does not apply. The failure to arrive at the principles which Professor Zimmern so rightly regards as urgent is due to the fact that their application threatens the interests which refuse in the domestic sphere to consent to their operation. A socialised coal industry in Great Britain is in a position to make the kind of solution here visualised as desirable; there is not, on those terms, an explicit distinction between vested interest and public advantage. But an industry like the coal industry as now organised is built in terms of an internal anarchy which makes the process of international negotiation an adventure hardly possible of success.

Professor Zimmern, in fact, assumes that reason can prevail over vested interest in the international field, even while the latter is unchallenged in the national society. There is no evidence to support such a hypothesis. The history of the League of Nations, above all

in the economic field, is the proof of exactly the converse proposition. A body like the World Economic Conference of 1927 can draw up an admirable programme for the facilitation of economic recovery; when governments consider its application they are helpless before the power of the interests whose private advantage will thereby be injured. Everyone agrees that economic nationalism is strangling that freedom of international intercourse which is the condition of world prosperity; but Geneva does not possess the power to break down the barriers it imposes. An analysis such as Professor Zimmern makes, in fact, ignores altogether the inherent contradictions of capitalism. It assumes a coincidence between the interests of a system of privilege and those of the community, which are not only the main subject-matter of the debate, but the denial of which is the whole case for the existence of a socialist movement. An insular socialism does not, as he suggests, forget its international obligations. But it takes the rational view that so long as its international policy is dominated by the will of a privileged class it cannot in fact give serious attention to what those international obligations demand. It insists that only when that will is subordinated to the interests of the larger community is it possible to think of international policy seriously in the light of the considerations a good citizen of the world will regard as paramount.

Another argument is far more compelling. It draws attention to the price involved in a forcible transition to a new social order. Civil war, dictatorship, the

suppression of free criticism, the possible destruction, with all its consequences in economic suffering, of the industrial machine, the possibility, inherent in all large-scale doctrinal revolutions, of foreign conflict—is it worth while, it is asked, to risk these things for benefits which, at best, are dubious, the very striving for which may plunge the community into a new dark age, recovery from which is bound to be long and painful? Granted that capitalist democracy involves grave evils, is it not better to endure them, knowing how vast, on the whole, have been the improvements in material well-being it has effected in a century's space, than to risk what may well be the disappearance of something like the conditions of a civilised existence?

The answer to this plea, I think, is a twofold one. It assumes that the wholesale abrogation of economic privilege is bound to be resisted by its possessors. It therefore urges that because the price of revolution is so high the essential hypothesis of parliamentary government—the right of the majority to act upon its purposes—should be abandoned. It admits, in effect, that is, the communist case against capitalist democracy and invites a surrender to privilege because conflict may spell disaster. It urges, further, that the achievements of the present system have been so great that we ought rather to rest content with its possibilities than to trust to the hazards of a largely unknown experiment.

That conflict is bad and consent attractive needs no discussion; but the determination of social issues is

not settled by a weighing of consequences in this simple fashion. The Liberal Party could not have refused to bring in the Home Rule Bill in 1912 on the ground that rebellion would have followed its passage to the statute-book. Granted the real danger of conflict, the true burden of the argument is the obligation of the minority to accept the consequences of defeat. To put the position upon any other basis is to say that no alterations in a property system can be made save as its owners consent to it; this, clearly, is a principle that no government can accept which proposes to retain the confidence of its supporters. The argument, in a word, retains the capitalist, but rejects the democratic, features of capitalist democracy. It asks for a perpetual guarantee of privilege whenever the latter prefers challenge to discussion. Human affairs cannot be settled upon that basis.

Nor are the past achievements of capitalist democracy a title to perpetual rights. For it is exactly the doubt whether those achievements will continue which are responsible for the growth of support for socialism. No socialist party will obtain a majority in any society until men so profoundly question the adequacy of opposing principles as to insist that the new principles must be tried. The advantages are all on the capitalist side. It is the system in being. It has the major economic power in its hands. It has shaped to its purposes the essential contours of the educational system, the forces of the Press, the main alternative organs by which the national mind is formed. Power will only be entrusted to its critics when its inability

to continue its victorious career is overwhelming apparent. To say, when that decision has been made by the electorate, that its consequences should not become operative is to make an impossible demand. Men will no more surrender their right to socialist experiment when they have determined upon it than they have been willing in the past to surrender that right in other fields. They may admit the hazard. But they will remember how few are the social innovations of the last hundred years, from the legal limitation of the hours of labour to the extension of the franchise, about which their critics have not insisted, quite incorrectly, that they were the prelude to irreparable disaster. If they are not convinced that socialism is desirable, they will not try it; but if they are so convinced, prophecies of gloom will not divert them from their purpose.

In this argument, indeed, is involved a view upon which too much emphasis cannot be laid. No political party is entitled to attempt the capture of power in a constitutional state merely because it believes its principles to be right. No party, either, is so justified in framing the outlines of its adventure as deliberately to provoke conflict from its opponents upon the ground that by this method it can more rapidly and more completely secure the consequences of its victory. I speak, of course, of normal times; a position like that of Russia in 1917, or of a constitution balanced, like that of France in 1848, upon an unjustifiably narrow equipoise, is outside the area where principle has application. In a constitutional state based upon

universal suffrage it is an obligation upon any party which proposes to disturb foundations to do so upon the basis that the will of the electorate favours its innovation. Any alternative attitude is a denial of the democratic basis from which is derived its opportunity as a party to live. But once it commands the will of the electorate its title to defend its programme with all the resources of the state behind it seems to me beyond question. The constitution, indeed, within which it operates must fulfil two conditions: (i) it must not be built upon the exclusion of any group in the society from the right to express its will; (ii) it must not give to non-elected persons, or to persons chosen by a special franchise, the right to make inoperative the will of a victorious party. Granted these conditions exist, the duty of a party is to experiment as a government to the limits it deems reasonable of the mandate with which it is entrusted.

There is, of course, the special case of a government that lacks a majority. What is the limit of the action to which it is entitled? The answer, I think, is the definite one that the limit is set by the willingness of the legislative assembly to accept the policy it proposes. The Labour Government of 1929, for example, was not debarred from introducing socialist measures because it was a minority government. It was entitled to force upon Parliament the alternative either of taking the responsibility for its defeat, or accepting the programme it put forward. The essence of the whole parliamentary system is its ability to compel the legislature to make such a choice. A minority government, indeed, may,

like that of Mr. MacDonald, shrink from the threat to its continued existence implied in such a method. It may prefer to make the proposals which seem least likely to endanger its life. Whatever the choice, the acceptance of the result by a minority government satisfies the implications of constitutionalism; for the essence of the latter consists essentially in respect for the decision a majority decides to make unless that decision involves an outrageous abuse of power.

I have said, also, that in a parliamentary democracy it is the duty of the holders of political power to do their utmost to conciliate the minority which dissents from their measures. They ought not deliberately to provoke them to revolt. A divided Ireland, however regrettable, is better than an Ireland the unity of which is purchased at the cost of civil war, unless it can be clearly shown that without a united Ireland the freedom of those involved in such a scheme as the Treaty of 1921 is definitely unattainable. Nothing is ever gained, when the community is in a normal temper, by forgoing the good will which consent ensures, if consent can be had upon reasonable terms. It is better to abrogate privilege at a price without violence than to risk the latter for the sake of some abstract principle in all its immediate completeness. A socialism which pays reasonable tribute to the established expectations of vested interest is far more likely to succeed than a socialism which insists upon their forthright destruction. Here, as elsewhere, prudence is a primary virtue in political behaviour.

The justification for this view is obvious enough.



Whoever disturbs at their base the foundations of a society embarks upon an adventure of which the outcome is unpredictable; we start with Pym and end with Cromwell the dictator. To seek the maximum of consent on reasonable terms is to make the task of one's opponents a far more difficult one. Moderate opinion is easily outraged by the extremists of either side; and when a party puts its policy into operation in terms of an obvious effort to do all possible justice to those whose rights it proposes to redefine, the latter are deprived of an emotional support of high importance. It is one of the supreme virtues of parliamentary democracy that it offers, as no other system, the opportunity to create this atmosphere. It has no certainty of success; it has less cause to expect failure than any alternative. A socialist government has so to act that two results follow from its policy. What it does must seem to be just to the bulk of the opinion in society; and what it does must be done in such a way that the transition is not marked by the kind of abruptness which moves those affected to justifiable despair and indignation. It must not sacrifice its essential principles. It must not so act that their operation will be jeopardised. But, granted the realisation of these conditions, it has the obligation to carry with it the widest area of consent that is rationally attainable.

In so far, that is, as it can, the obligation of a socialist government in normal times is to throw upon its opponents the burden of resistance. It is entitled, of course, to all necessary precautionary measures. If it fears, as it may well fear, a grave state of financial

emergency, it may take powers to cope with its possible consequences. If it suspects an effort to tamper with the armed forces of the state, it has the obvious duty to mete out swift justice to those responsible. It must be prepared against the possibility of industrial sabotage; a threat, for instance, to close down works in the hope that a sudden increase of unemployment may create a panic. It must prevent any attempt to refurbish against it the ancient prerogatives of the Crown; guarantees in this realm are, as I have urged, vital to the protection of its position.

But, granted precautions of this kind, the refusal of the socialist government to invite a challenge is a safeguard for its policies and not a danger to them. It assures it the support of moderate opinion by minimising, at the outset, the strength of the appeal its opponents may strive to make. It minimises the military risk of its position. It rallies to its side that considerable body of opinion which parliamentary democracy inherently creates, to which unconstitutional action is in itself indefensible; and this has the important effect of dividing the forces and diminishing the enthusiasm of those more ardent souls to whom the very idea of a socialist commonwealth is an invitation to conflict. Not least, as Lord Oxford saw in the Ulster crisis,<sup>1</sup> it mitigates the danger that the Crown may be dragged into the faction-fight which ensues. And it is important, also, that prudence of this kind offers the largest certainty of sympathy among foreign nations.

• These are great advantages which it would be folly

<sup>1</sup> *Life*, by J. A. Spender and Cyril Asquith (1932), Vol. II, p. 31.

to throw away. Nor can I see that to take advantage of them leaves the offensive in the hands of those still eager to embark upon resistance. For their power is then dependent upon the armed forces of which they can dispose; and it is unlikely in the highest measure that they would be able, under such circumstances as these, to secure either the necessary numbers or the essential weapons upon which success in revolution depends. Those who think otherwise still dwell in the serene pastures of 1848; they forget the obvious implications of the weapons now imperative for success in warfare. A socialist government which succeeded to office in the classic constitutional way might, so long as times remained normal, await with confidence any threat to its authority.

It is desirable to emphasise this because post-war discussion makes it evident how little communist theory admits the right to hope for peace. Its assumptions are built in a certainty of conflict so ultimate that discussion of its possible evasion seems a mere waste of time. But there is an answer to this view of which the significance is vital. Communist theory has been largely moulded by the experience of men whose ideas were shaped in contact with either Russian despotism or the half-constitutional oligarchies of Germany and France. It was inevitable that, in transferring their ideas to the English situation, they should see there rather the identities they fully understood than the differences they could not penetrate. Marx always remains a German exile in England, even after thirty years' residence; Lenin and Trotsky knew Eng-

land either from brief and inadequate periods of residence, or from contact with literature and persons whose outlook bore a special colour for them. In the case of the two latter men, particularly, one cannot omit remarking how greatly their view was shaped by their desire to see their predictions fulfilled as universal principles derived from a particular setting. No social hypothesis has special application in its most universal form; its application is necessarily altered by the special facts that it encounters. I do not mean that the communists are obviously wrong. I do mean that circumstances are at least conceivable in which they may be shown to have generalised too widely. A national tradition cannot be completely discounted until the facts have shown that it has no longer its habitual force.

I do not mean to imply by this any confidence that the prospect of peace entitles us to optimism; that security is an illusion has been the consistent emphasis of my argument. I have urged that there are many situations conceivable, and even probable, in which the danger of revolution may well be inescapable. If we drift into war; if there is a serious attack upon the workers' standard of life, which culminates in a series of great strikes with, it may be, an unwise use of the troops or the police; if there is a passion for economy so drastic that the social services are gravely undermined; from any of these things there might easily arise that exacerbation of the national temper by which conflict is precipitated. Nor is this all. Such a juggling of the Constitution as deprives the Labour Party of what

seems to its supporters a legitimate title to power, such a strengthening of the second chamber as would give to the forces of property a special protection in the state, either of these might easily produce the situation in which the gulf between opinions becomes unbridgable in terms of peace. No one, on the evidence, is entitled to say that any of them is an unlikely event. The forces, on either side, which seek to promote their operation are both strong and determined. And when they are operated, they give inescapable clarity to that contradiction between capitalism and democracy which, as I have sought to show, is ultimately final in character. We may escape its consequences; but it will, in my judgment, tax to the uttermost the resources of our statesmanship if we are to do so. The signs of strain are ominous. We do not banish them by pretending that they are not there.

I do not argue, it must be noted, that the result of conflict is, of necessity, a socialist victory. I deny that there are tendencies at work in society which make any solution of principle inevitable. The victory in any given contest will, it has been here submitted, depend upon the disposition of forces at the time of its possible occurrence. It is more than likely, I myself believe, that the first consequences of revolution, both in Great Britain and America, would be in fact a dictatorship of the middle class in kind, though not in form, akin to that of the new Italy. Proletarian dictatorship, as in Russia, is helped, rather than retarded, where it can be built upon the ruins of an autocracy. Lenin's victory was immensely aided by the facts that he did

not have to cope with a large middle class habituated to domination and privilege, and that the masses whose support he won both lacked a clear lead from his opponents and had been schooled by centuries of experience into a temper which made it natural for them to pass from one dictatorship to another. No Western democracy has these circumstances upon which it may legitimately count.

But if conflict occurred and resulted in a victory for the forces of property, I do not believe that the resultant equilibrium would be stable. I believe, on the contrary, that it would merely inaugurate an epoch of violence of which the consequence would be wide economic disaster. For, first of all, the passion for equality would remain unsatisfied, and this, as I have argued, is the abiding cause of revolutions. Nor, secondly, can a people which has experienced democracy even in the limited sphere of politics be lightly persuaded to forgo its benefits at the first defeat; 1830 and 1848 were the results of the effort to prevent men from realising the expectations of 1789. The resentments provoked by defeat would merely serve as the foundation of a new effort to avenge it.

And, alike in Great Britain and America, I believe that the past experience and traditions of ordinary men and women are unfavourable to the discipline which such a situation would demand, if it were to have any continuity about it. Their peoples differ from those of Russia and Italy in their long schooling in self-government through their own voluntary organisations. Centuries of Nonconformity, a hundred years of trade

unions, the vast experience of friendly societies and the like have made it a delicate task indeed to impose upon them a discipline that is resented. I doubt whether any régime not built upon consent could long afford to pay the costs, psychological and economic, involved in its imposition. A conflict which compelled the owners of property to abrogate the constitutional democracy to which the masses are accustomed would, I venture to think, have to be followed very rapidly either by its restoration, or by a vast policy of *panem et circenses* which would act as its material equivalent; we should be back, in fact, fairly rapidly in the position we now occupy with the addition only that every problem we now confront would be gravely intensified.

Even if conflict resulted in a communist triumph, I venture to doubt where a régime of dictatorship could afford to impose itself for long. It is no doubt true that the equality upon which it would insist would count for much as against the contrasts a victory of capitalists would sharpen. It is no doubt true, also, that the kind of freedom for which communism is able, in Russia for example, to make provision would be felt by many to be a more than adequate substitute for the freedom to which capitalist democracy entitles them; and, not improbably, a large-scale suppression of the intelligentsia and professional classes would no more be widely resented, except by the members of those classes, than their existence at present is widely appreciated. But I still believe that a communist dictatorship in England or America would have fairly rapidly to

discover some wide basis of active consent if it hoped to endure.

For the traditions of voluntary association have profound roots in our national habits. People are accustomed to a process of organizing themselves for demand in a way of which no government, however autocratic, can afford to omit the significance. It would be necessary to find room quickly for the expression of this tendency; and if it were sought to stifle it, I believe that it would translate itself forthwith into a political movement. Over a short period, no doubt, especially in the fever of revolutionary excitement, dictatorship would create that mood of exhilaration which, as in the early days of the war, is prepared to leave the will of authority unquestioned. But that mood never endures for long; it is less likely to endure when exhilaration gives place to a routine from which a special excitement is banished. And this is more likely to be the case in either England or America, because the revolutionary task will be harder there than in Russia. It is not merely that the struggle will be more intense, the bitterness occasioned consequently more severe. It is also that the standard of life the revolutionary state has rapidly to regain, if it is to maintain confidence, presents a much more serious problem. To go on dominating the British people, unless the proof of rapid economic success is early proffered by the new régime, would give a handle to counter-revolutionary forces far more formidable than Russia has ever had to face. And a succession of serious outbreaks, suppressed only at heavy cost, would so endanger the economic success



of the new system that an original communist victory might be followed by a decade of conflict in which power changed hands on more than one occasion. Under such circumstances as these the impoverishment of the community might well render impossible over a long period a return to settled habits, the discovery, accordingly, of a new equilibrium in which men accept those established expectations which make for social peace.

It may be argued that communists have now a very considerable experience of the conditions upon which successful dictatorship depends, and that this would be available for British or, indeed, American application. But on this, I think, there are two things to be said. The transplanting of one national experience to another national climate is always a complicated, and seldom a successful, experiment; as witness the effort to discover for foreign purposes the secret of the British Constitution. That revolution means, here or elsewhere, the discipline of dictatorship, we who have Cromwell's Major-Generals upon whom to look back need not deny; that its forms will need a very delicate experiment in adaptation to British conditions is not, I think, less certain. And anyone who analyses the efforts of the Third International to grasp the ethos of the British character will be tempted to conclude that skill in psychological diagnosis is not one of its predominant features. I doubt whether its relentless logic, its enjoyment of the process of applying the Marxian dialectic to concrete English situations, its stark disgust of compromise, its unhesitating ruthlessness, quite fit the

historic climate of this country. A social revolution in England is likely to disappoint the specialists in doctrine by its insistently empiric character.

I am not, let it again be noted, suggesting that this is an argument against its possibility or its success; I am suggesting only that we shall wear our revolution with a comprehensive difference, that the problems it is likely to confront are not going to be solved by the lessons men have learned from Russian experience. The profound immersion of the British and American peoples in bourgeois liberalism has built a system of habits of which grave account will have to be taken. Freedom of civil association facilitates, wherever it has taken root, the habit of common action for political purposes; and a revolution, even in a capitalist democracy, has the first result of intensifying the tendency to associate. It is, no doubt, true that the violent suppression of political parties would diminish in other areas this form of combination; but the habit is so profound that it would be essential for a revolutionary state to discover rapidly for it an alternative means of expression. And I venture again to doubt whether such institutions would long prove compatible with the passionate discipline a dictatorship demands.

One final argument, of an altogether different character, requires a word of consideration. This analysis, it may be said, is built upon the assumption of a bifurcation of social forces. This contingent clash of mighty opposites is, in fact, an unreal picture of the situation. The extremes will not meet, for the simple reason that when collision appears likely, intermediate

terms will be introduced into the political equation. Divisions will appear in the ranks of the political parties so as to make possible, as in France, the coalescence of central-minded groups from each who will govern by agreeing, for the sake of peace, to surrender the more impossible demands of the more extreme wings. Time for accommodation will thus be afforded, and men will be able to move with the requisite slowness to the discovery of the necessary adaptations.

The hypothesis is an attractive one, but I do not think it survives analysis. The analogy from France is unsatisfactory for a number of reasons. Peasant proprietorship introduces into the French situation a factor of stability upon which England, at least, cannot count; and the social equality of France—the great heritage of the Revolution—makes the relationship of classes there far more easy of adjustment. Nor must it be forgotten that in France the combinations which take office do not include the Socialist Party with which, despite, or perhaps because of, its growth the terms of accommodation cannot be found. That difficulty, combined with the general malaise of French representative institutions, is a warning which should make us hesitate before we find in the French scene a source of hope.

And if we do attempt to make the analogy, the conditions upon which its application depends raise very grave difficulties. The economic recovery of capitalism would still be necessary, for successive governments, of whatever temper, would have, at some stage, to resume the policy of concessions as a

substitute for equality. The trade unions would have to lose their single political complexion and so shatter the Labour movement. The Conservatives would have to discover a new respect for the working man, a willingness, quite alien from its previous policy, to offer him seats in Parliament and the ministry. There would have to be a revival of political liberalism among a generation not only trained by experience to observe its decline, but also habituated to the notion that socialism has inherited the function performed by liberalism in the nineteenth century. The hypothesis, in fact, assumes that the issue of equality can be indefinitely postponed if only moderate-minded men will agree to pretend that it is not there. My argument has been that this is not a policy likely to be successful over any space of time. The disposition of parties only reflects the economic conditions of which they are the expression. The only way to postpone the issue is by discovering anew the terms of economic prosperity and so increasing the material benefits in which the masses can participate. No one can view the condition of the world without seeing that this must be done swiftly if it is to be done at all. Otherwise, the alternative still confronts us of choosing between conflict with the workers or the surrender of privilege by the narrow class to which it is confined. For a society ruled by moderate men upon the assumption that social peace is the highest good would still have to deal with that impulse to equality which is a permanent passion among mankind.

## CONCLUSION

"Nec ulla deformior species est civitatis quam illa in qua opulentissimi optimi putantur."<sup>1</sup> The reflection of Cicero upon the dissolution of the commonwealth he served is matched by the insistence of Horace that when money is rated above all things, an unearned love is unattainable by men.<sup>2</sup> Why should our fate be different from that of Rome? We can read in the pages of our own moralists that the lesson of the Industrial Revolution made the same impact upon themselves. Wordsworth, Southey, Carlyle, Mill, Matthew Arnold, Morris, all in their period warned us that an unequal society contains within itself the seeds of its own dissolution. We inherit the results of a century's refusal to give serious heed to their warning.

We built a powerful society without adequate thought for the purposes to which its power was to be devoted. We built a wealthy society without adequate concern about the objects upon which its wealth should be expended. We thought that justice would be the inherent consequence of our acquisition of power and wealth. What we forgot is that societies are not bound together by material conquests; their unity is found in equal devotion to a common idea. Fellowship does not endure in states disfigured by such sharp contrasts as those which have deprived us of an equal interest in their operation. That was why Mill could insist that the best society was one in which, while no one was

<sup>1</sup> Cicero, *De Republica*, Vol. I, p. 51.      <sup>2</sup> *Satires*, Vol. I, i, p. 86.

poor, none felt the urgency to be rich nor was haunted by the fear of what effect that urgency in others might have upon him.<sup>1</sup> A society in which men can perceive the operation of just principle creates in them emotions which reason may hope to permeate and control. It will be prepared for sacrifice; it is prepared to endure hardship. It will not make, as we have made, all spiritual and artistic beauty, delight in letters, the enjoyment of art and music, that yearning to understand the universe which gives to scientific discovery its power to excite respect, so largely the reward of successful acquisition. It will not make leisure significant only for the wealthy. It will not, either, rest content that the masses should be steeped in toil that is mainly hardship and leave their rest-hours so void of the sense of creativeness or power. We should have discovered in the last hundred years that an emphasis only upon material acquisition cannot produce a united society once the capacity to acquire is threatened in its foundations; that it fails to make response to those spiritual springs of discontent which, when they are neglected, in the end always overwhelm our fragile material constructions. That kind of society produces peace and the temper of exhilaration only when it is successful; once its foundations are called into question it produces only anger and dumb despair.

We should have learned this lesson in the nineteenth century; we were warned, and we were deaf to the warning. We did not ask ourselves where we were going, by what purpose our common life should be

<sup>1</sup> *Political Economy*, Vol. IV, p. 6, Ashley's edition, pp. 748-9.

informed. New wealth intoxicated us; we had no time to ask the price of its acquisition, the results of the strategy by which it was acquired. We had habit without philosophy, power without principle, authority without justice. We made the little immediate generalisations of our sudden hour of unwonted wealth universals to be protected by that blind passion which refuses to meditate upon their outcome. We forgot the spirit of Time which moulds men in the fashion of the generalisation to which we give our confidence. So that when we insisted that public good was the outcome of a private war we deemed beneficent, we lost the secret of social peace. Men who ignore the tragedies of the past have only themselves to blame if thereby they make the tragedies of the future.

For revolution, like war, is infinite tragedy, since, in its very nature, it means pain and suffering and the tragic confusion of means with ends. The innocent not less than the guilty are its victims. It is the enemy of Reason and Freedom—the twin goddesses whose triumph gives what of beauty there is in the ultimate texture of men's lives. Where there is social conflict, there also Hate and Fear rule the destinies of us all; and even if there is high purpose in the price they exact, it is a purpose stained by bloody sacrifice. That is the prospect, grim and bitter and evil, we confront at the eleventh hour of what we might have made a great civilization.

What we might have made, and what we still might make if the holders of power had the courage and the determination to steel themselves to sacrifice. There

are in every society little groups of devoted men and women who know that the spirit of evil can be exorcised where there is the will to find the terms of peace, the ardour to discover the conditions of fellowship. But it seems the inexorable logic of a material and unequal society that their voices should be hardly heard above the passionate clamour of extremes. If we make of Justice an exile from our habitations, respect for her advocates lies beyond our power of achievement. We confound her claims with our own; we confuse her principles with our self-interest. She is bound to exact the price of our confusion. For Justice, being blind, does not see the wounds of retribution.

No doubt, after a time, even the wounds of civil strife are healed. No doubt also a new edifice of beauty arises upon the blackened ruins of the old. There is an eternal aspiration in the human spirit which not even a dark age can destroy. But there is no tragedy more stark in the history of mankind than the compulsion to begin anew a search of which already we can define the goal.









